

The Problem of Labour in Fourteenth-Century England

At the very moment that the image of the honest labourer seemed to reach its apogée in the Luttrell Psalter or, a few decades later, in *Piers Plowman*, the dominant culture of the landed interests was increasingly suspicious of what it described as the idleness, greed and arrogance of the lower orders. Labour was one of the central issues during the fourteenth century: the natural disasters and profound social changes of the period created not merely a 'problem' of labour, but also new ways of discussing and (supposedly) solving that problem. These studies engage with the contrasting and often competing discourses which emerged, ranging from the critical social awareness of some of the early fourteenth-century protest literature to the repressive authoritarianism of the new national employment laws that were enforced in the wake of the Black Death, and were expressed in counter-cultures of resistance and dissent.

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The Problem of Labour in Fourteenth-Century England

Edited by
James Bothwell, P. J. P. Goldberg *and* W. M. Ormrod



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PREFACE

This volume of essays represents a selection of papers first delivered at the York Interdisciplinary Conference on the Fourteenth Century, held at the Centre for Medieval Studies, University of York, in July 1998, and organised around the theme of 'The Problem of Labour'. This was the first in what is intended to be a series of such conferences, each organised around a coherent theme and each aiming to bring together both established and younger scholars from a variety of disciplinary backgrounds to share their knowledge and enthusiasm for that most eventful and enigmatic of medieval centuries, the fourteenth. The conference series consequently mirrors the academic mission of the Centre for Medieval Studies, which for some thirty years has actively promoted interdisciplinary approaches to the study of the Middle Ages. The conferences in this series are deliberately intended to challenge the contributors by providing themes that almost unavoidably demand an appreciation of and engagement with the subject matters, perspectives, and methodologies of disciplines other than their own.

The 'Problem of Labour' thus emerges as a truly interdisciplinary project whose ramifications are evident in a whole range of documentary, literary, artistic and architectural evidence. The natural disasters and profound social changes of the fourteenth century created not merely a 'problem' of labour, but also new ways of discussing and (supposedly) solving that problem; a series of contrasting and often competing discourses emerged. These range from the critical social awareness of some of the early fourteenth-century protest literature to the repressive authoritarianism of the new national employment laws that emerged and were enforced in the wake of the Black Death, but which may in part have been rooted in earlier traditions of legislation in London and elsewhere. At the very moment that the image of the honest labourer seemed to reach its apogée in the Luttrell Psalter or, a few decades later, in *Piers Plowman*, the dominant culture of the proprietary interest was increasingly suspicious of what it described as the idleness, greed and arrogance of the lower orders. Indeed the traditional ruling order consciously appropriated a discourse of sin when faced with what was understood to be a challenge to a divinely sanctioned social hierarchy. This challenge was elsewhere found in the blurring of gender roles consequent upon the advent of a larger proportion of women into the workforce. It generated uncertainties about the reliability and controllability of labour and may well have provoked the imposition of a more conformist culture and a more repressive system of civic and national government. These in turn

stimulated counter-cultures of resistance and dissent. These were interesting times indeed.

This collection of essays offers an examination and some possible explanations of these themes, exploring new evidence for, and new approaches to, the fourteenth-century 'Problem of Labour'. The editors would like to thank all those who contributed to the original conference and the contributors for their co-operation and forbearance. They wish finally to express their gratitude to the staff of Boydell & Brewer, especially Richard Barber and Caroline Palmer, for their assistance and encouragement.

The Problem of Women's Work Identities in Post Black Death England

CORDELIA BEATTIE

Throughout the Middle Ages, women were denied social conceptualization, even existence, as social – and historical – beings. Not only were they almost entirely excluded from public life, but their existence as part of the social totality was often ignored. In the estates lists by which medieval society imagined itself, lay women are categorized not by economic, social or political function but either by social status as determined by their male relatives or by marital status.

(Lee Patterson, *Chaucer and the Subject of History*)¹

The estates lists that Patterson refers to have no doubt been crucial in sustaining the scholarly view that medieval society conceptualized medieval men and women differently. In a recent book on medieval women, Henrietta Leyser states that 'Medieval women were classified according to their sexual status: men might be thought of collectively as knights, merchants, crusaders; women were virgins, wives or widows.'² The model offered is that men were defined by what they did, their occupation or function, whereas for women it was their marital, sexual or social status. Other scholars have pointed to similar categorizations in, for example, European law codes, sermons and tax returns.³ However, exceptions to such a general rule can always be found.

¹ L. Patterson, 'The Wife of Bath and the Triumph of the Subject', in *Chaucer and the Subject of History*, ed. L. Patterson (London, 1991), pp. 280–321 (p. 282). The present article is a result of doctoral research undertaken with funding from the British Academy at the Centre for Medieval Studies, University of York. I am grateful to Jeremy Goldberg and Felicity Riddy for their advice and suggestions.

² H. Leyser, *Medieval Women: A Social History of Women in England 450–1500* (London, 1996), p. 93.

³ H. Dillard, *Daughters of the Reconquest: Women in Castilian Town Society, 1100–1300* (Cambridge, 1984), pp. 16–21 (esp. p. 21); C. Casagrande, 'The Protected Woman', trans. C. Botsford, in *A History of Women in the West: II. Silences of the Middle Ages*, ed. C. Klapisch-Zuber (London, 1992), pp. 70–104 (pp. 73–83); C. Bourlet, 'L'anthroponymie à Paris à la fin du xiii^{ème} siècle d'après les rôles de la taille du règne de Philippe le Bel', in *Genèse médiévale de l'anthroponymie moderne*, ed.

Texts classify people according to their own interests. In the records of infringements of the Statute of Labourers of 1351, for example, women are often categorized by occupation, an alternative model perhaps.⁴ Such models do not exist in isolation, though, but interact and conflict. This article will consider closely three late fourteenth century English texts which demonstrate such co-existence, interplay and competition. The contention is that not only was there an overlap between a woman's marital/sexual/social statuses, as intimated in the quotations from Patterson and Leyser,⁵ but that occupational and economic statuses were also important to women's identities, especially their work ones. However, the extent varies according to the specific textual and historical contexts.

The aftermath of the Black Death is an appropriate testing ground for thinking about the conceptualization of women in relation to work. First, it has been argued that the profound demographic and economic effects of successive plagues both speeded up changes in social ordering and led to moves to shore up 'traditional society'. The latter in part involved attempts to define people's statuses more narrowly.⁶ Second, labour was often a contentious issue due to the sharp drop in population having caused labour shortages and rising wages. Whilst such effects benefited both male and female workers, there is some doubt as to whether women's wages reached a parity with those of men. Some tasks were still seen as gender specific, such as carpentry and ploughing, with the result that, outside of harvest work, many of the jobs women were hired for were low-status.⁷ Clearly there is a need to understand further the impact of ideas

M. Bourin and P. Chareille, vol. II-2 (Tours, 1992), pp. 9–44 (I owe this reference to Sharon Farmer).

⁴ S. A. C. Penn, 'Female Wage-Earners in late Fourteenth-Century England', *Agricultural History Review* 35 (1987), 1–14 (pp. 4–7).

⁵ Two of Leyser's 'sexual' statuses are clearly also marital statuses, and it could be argued that the third, 'virgin', also is in that it signified a woman before marriage. Similarly, Patterson's social status is also contingent on marital status in that the latter affected whether the male relative from whom the woman took her status was her father or a husband.

⁶ C. Dyer, *Standards of Living in the Later Middle Ages: Social Change in England c. 1200–1520* (Cambridge, 1989), pp. 13–17; M. Keen, *English Society in the Later Middle Ages 1348–1500* (London, 1990), pp. 1–24. For other moves, see R. C. Palmer, *English Law in the Age of the Black Death, 1348–1381: A Transformation of Governance and Law* (Chapel Hill, NC, 1993); W. M. Ormrod, 'The Politics of Pestilence: Government in England after the Black Death', in *The Black Death in England*, ed. W. M. Ormrod and P. G. Lindley (Stamford, 1996), pp. 147–81. For the argument that the Black Death did relatively little to speed up social and economic change see, for example, A. R. Bridbury, 'The Black Death', *Economic History Review* 1st s. 26 (1973), 577–92.

⁷ M. E. Mate, *Daughters, Wives and Widows after the Black Death: Women in Sussex, 1350–1535* (Woodbridge, 1998), pp. 11–13; Penn, 'Female Wage-Earners', pp. 1–14. For an articulation of this in an urban context see M. Kowaleski, 'Women's Work in a Market Town: Exeter in the Late Fourteenth Century', in *Women and Work in*

about gender in relation to work.⁸ All three of the texts I am going to discuss date from the last quarter of the fourteenth century, by which time we might expect post Black Death changes to have taken effect.

The texts are: the 1379 nominative poll tax return for Lynn, Norfolk; a deposition from a disputed marriage case heard before York's consistory court in 1394; and the record of a trespass case brought by a woman before the King's Bench in 1386. They will be used to think about the co-existence, interplay and conflict between the different statuses and models just discussed, namely the marital/sexual/social and the occupational and economic. The first section will argue that nominative poll tax returns, 'lists' of names, statuses and amounts, can be read discursively, by interrogating the categories into which women are arranged. The other two sections use court material which have hitherto been seen as more amenable to literary methodologies.⁹ The case study of the Lynn return will demonstrate that the two models of conceptualizing women co-existed, whereas the second section will focus on a defence of the reputation of two women which renders fairly explicit the interplay between women's work and marital statuses. Again, though, a discursive reading of the text, a consistory court deposition, seeks to uncover the underlying meanings invested in terms. The final section will move away from a focus on terminology onto a more general consideration of the construction of a woman's identity, both by others and as a subject position, in a King's Bench case. The relationship between the identities considered here is one of conflict.

Preindustrial Europe, ed. B. A. Hanawalt (Bloomington, IN, 1986), pp. 145–64. H. Graham, "'A woman's work . . .': Labour and Gender in the Late Medieval Countryside", in *Woman is a Worthy Wight: Women in English Society c. 1200–1500*, ed. P. J. P. Goldberg (Stroud, 1992), pp. 126–48, generally emphasizes continuity between the pre and post Black Death years. For the argument that women's work can be characterized as low-skilled, low-status and poorly remunerated throughout the period 1300–1700 see J. M. Bennett, 'Medieval Women, Modern Women: Across the Great Divide', in *Culture and History 1350–1600: Essays on English Communities, Identities, and Writing*, ed. D. Aers (London, 1992), pp. 147–75 (p. 158).

⁸ For a consideration of masculinity and work in this period see I. Davis, 'Men at Work: The Discursive Construction of Labouring Masculinities' (unpublished M. A. dissertation, University of York, 1998).

⁹ See, for example, N. Z. Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Oxford, 1988); L. Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford, 1996). Cf. J. W. Scott, 'A Statistical Representation of Work: *La Statistique de l'industrie à Paris, 1847–1848*', in *Gender and the Politics of History*, ed. J. W. Scott (New York, 1988), pp. 113–38, which is an attempt to read a statistical report discursively.

Maidens, widows and . . . workers? Co-existing models in a poll tax return

This section will consider the 1379 poll tax listing for Lynn, Norfolk, in the context of other returns from 1379 and 1381.¹⁰ The Lynn return makes a useful case study because of its unusual features: the majority of people are identified by a marital status and many are also described by a second category, occupational or familial.¹¹ The dual categorization allows one to think about the relationship between statuses, from which hypotheses can be advanced as to the ideological underpinnings of classifications in this listing. First, however, I will briefly discuss the categorization of women in four other urban poll tax returns (Figure 1.1).

The 1379 tax was levied according to an individual's resources, 'his estate and degree'.¹² Each lay married and single man and single woman over the age of sixteen was to pay between four pence and ten marks, except for genuine paupers; wives were exempt; gradations were according to social status or occupation; and a widow of a high status man was to be assessed according to his former rank.¹³ The 1381 tax was similarly charged 'each . . . according . . . to his means', but with more of an emphasis on the rich helping the poor, so status was again important.¹⁴ However, the surviving returns reveal wide discrepancies in what were considered relevant details. A quantitative comparison of the classification of women in the 1379 returns of Derby and Sheffield and the 1381 listings of Southwark and York illustrates this point and suggests that sometimes one status took precedence over another. I will argue that there was usually some prioritization of categories, either marital over occupational or vice versa.

The value of the data in Figure 1.1 lies more in indicating trends than in presenting precise figures. Impressions will be supported with examples from the returns. The exclusion, therefore, of some damaged entries is not an

¹⁰ Although all three poll taxes, 1377, 1379 and 1381, resulted in the survival of nominative returns, it was only in 1379 and 1381 that local officials were asked to provide collection commissions with information about the inhabitants of their areas. It is therefore in the listings from the later two poll taxes that individuals are more generally categorized by a status: *The Poll Taxes of 1377, 1379 and 1381: Part 1, Bedfordshire-Leicestershire*, ed. C. C. Fenwick, Records of Social and Economic History n.s. 27 (Oxford, 1998), p. xix.

¹¹ It is one of the few returns that records virtually everyone by marital status. I am grateful to Carolyn Fenwick, who is editing all the poll tax returns, for confirmation on this point.

¹² *Records of the Borough of Leicester . . . 1327-1509*, II, ed. M. Bateson (London, 1901), pp. 186-91 (p. 190). I owe this reference to *Poll Taxes*, ed. Fenwick, p. xiv.

¹³ *Poll Taxes*, ed. Fenwick, pp. xiv-xvi.

¹⁴ *Poll Taxes*, ed. Fenwick, p. xiv, citing *Rotuli Parliamentorum*, 6 vols. (London, 1783), III, 90.

Figure 1.1: The classification of women in four urban poll tax returns

STATUS	1379				1381			
	Derby		Sheffield		Southwark		York	
	No.	%	No.	%	No.	%	No.	%
Wife	–	–	175	64.8	315	61.9	1121	68.8
Widow	6	4.3	32	11.8	4	0.8	104	6.4
Mother	–	–	1	0.4	–	–	–	–
Daughter	16	11.5	19	7.0	10	2.0	23	1.4
Sister	–	–	–	–	–	–	1	0.1
Servant	57	41.0	11	4.1	62	12.2	294	18.0
Occupation	59	42.5	1	0.4	57	11.2	80	4.9
Occ. Byname	–	–	1	0.4	43	8.4	7	0.4
No status	1	0.7	30	11.1	18	3.5	–	–
TOTAL	139	100.0	270	100.0	509	100.0	1630	100.0

Sources

Derby: *The Poll Taxes of 1377, 1379 and 1381: Part 1, Bedfordshire-Leicestershire*, ed. C. C. Fenwick, Records of Social and Economic History n.s. 27 (Oxford, 1998), pp. 97–100.

Sheffield: 'Rolls of the Collectors in the West Riding of the Lay-Subsidy (Poll Tax) 2 Richard II., Wapentake of Strafforth', *Yorkshire Archaeological and Topographical Journal* 5 (1879), 1–51 (pp. 40–4).

Southwark: London, Public Record Office, E 179/184/30.

York: London, Public Record Office, E 179/217/16. There is an edition by Neville Bartlett.

My figures are from the original, as it is possible to read some of the entries excluded as damaged in *The Lay Poll Tax Returns for the City of York in 1381*, ed. N. Bartlett (Hull, 1953). For ease of reference, though, specific examples in the text are from the printed edition.

insurmountable problem, nor are the unknown levels of exemption and evasion.¹⁵ Unlike the Lynn return, these listings generally identify women by a single category. In those cases, however, where a woman is described by more than one category, the highest one in my list took preference. For example, one woman described in the Derby return both as *mater* and *vidua* is counted as a widow and not as a mother.¹⁶

In the Derby and Southwark returns it seems that work identities were prioritized over some marital statuses. There are very small numbers of women described as widows, especially when compared with the numbers categorized by occupation or with an occupational byname. Martha Carlin comments of the Southwark return that, 'The four women designated as "widow" seem to have been the most well-to-do group of women householders in

¹⁵ On exemption/evasion see P. J. P. Goldberg, 'Urban Identity and the Poll Taxes of 1377, 1379, and 1381', *Economic History Review* 2nd s. 43 (1988), 194–216; *Poll Taxes*, ed. Fenwick, pp. xxiii–vi.

¹⁶ *Poll Taxes*, ed. Fenwick, pp. 97–100 (p. 98, column 1). This is the only woman described as a mother in the Derby return.

Southwark . . . This suggests that the term “widow” as used by the Southwark assessors meant something like “widow who doesn’t need to work”, and was an indicator of high economic status.¹⁷ By contrast, five of the six women categorized as widows in the Derby return were assessed at the minimum rate of four pence and two are also described as *paupercula*.¹⁸ Such a formulation might signify widows who were unable to work. In these two listings the dominant model is of classifying women by their work identities unless that was irrelevant for some reason. The Sheffield return, however, seems to have the opposite prioritization. Scarcely any women are identified by occupation but thirty-two are described as widows. The only woman with an explicit occupational status is also classified as a widow: ‘Magot’ Barkar *vidua*, walker’.¹⁹ The occupational status was probably included because it conflicted with her surname, whereas the occupations of other women were presumably unstated. The prioritization in the York return, though, is less clear-cut. More women are categorized as widows than by occupation but there are significant numbers of both. Cecilia de Malton, described in the return as *braciatrix*, can be identified as the widow of Thomas de Malton, recorded in the 1377 poll tax listing.²⁰ Although damage to the return means that it is not known how much she was assessed at, it is likely that Cecilia was a woman of means given that she is recorded as having four servants. Perhaps Cecilia was identified as a brewster, rather than as a widow, because the occupational term was seen as the marker of her economic status. In this return, although the numbers suggest an importance placed on marital status, prioritization was not always given to it.

This brief consideration of four returns has raised a number of points that will be considered in more detail in the close reading of the Lynn return (Figure 1.2). Assessors could choose to classify women in different ways, according to different models, which often involved some prioritization of statuses. Also, Carlin’s statement that ‘the term “widow” as used by the Southwark assessors meant something like “widow who doesn’t need to work”’ suggests that particular categories had underlying meanings. The unusual nature of the Lynn return, with its frequent use of dual categorization, allows discussion of the ideological uses of certain classifications.

¹⁷ M. Carlin, *Medieval Southwark* (London, 1996), pp. 175–6.

¹⁸ *Poll Taxes*, ed. Fenwick, pp. 97–100. For use of the term *paupercula* see *Poll Taxes*, ed. Fenwick, p. 98, column 1.

¹⁹ ‘Rolls of the Collectors in the West Riding’, p. 42.

²⁰ *The Lay Poll Tax Returns for the City of York in 1381*, ed. N. Bartlett (Hull, 1953), p. 41; J. I. Leggett, ‘The 1377 Poll Tax Returns for the City of York’, *Yorkshire Archaeological Journal* 43 (1971), 128–46 (p. 137). For more on the records about this woman see C. Beattie, ‘A Room of One’s Own? The Legal Evidence for the Residential Arrangements of Women Without Husbands in Late Fourteenth and Early Fifteenth Century York’, in *Medieval Women and the Law*, ed. N. James Menuge (Woodbridge, 2000).

Figure 1.2: The classification of women in the 1379 Lynn poll tax listing

STATUS	<i>Vidua</i>	<i>Puella</i>	<i>Soluta</i>	No Status	TOTAL
Servant	–	–	102	10	112
Occupation	–	–	12	1	13
Daughter	–	6	5	–	11
Mother	–	–	1	–	1
No Status	28	–	15	–	43
Damaged	–	1	2	–	3
TOTAL	28	7	137	11	183

Source

London, Public Record Office, EXT 6/99/156. There is an edition by F. C. Carter in *The Making of King's Lynn: A Documentary Survey*, ed. D. M. Owen, Records of Social and Economic History n.s. 9 (London, 1984), pp. 221–32. However, it is not completely accurate, so all figures are from my checking of the original. For ease of reference, specific examples in the text are from the printed edition.

The majority of people in the Lynn return are identified by a marital status. Men are described as either *solutus* or *coniugatus*, single or married. All the women listed were single (wives were not assessed in 1379, although they are still listed in the Sheffield return). However, they are not just described as *soluta*, although the majority are, but also as *vidua* and *puella*. As *solutus* encompasses widowers and young unmarried men, *soluta* is probably also an umbrella category. The classification of both a mother and a woman with the byname 'wydewe' as *soluta* further supports this reading.²¹ The additional use of more specific categories suggests an increased emphasis on the marital status of women. It will be argued, therefore, that at least two models of categorizing women can be seen operating in this text. Women were labelled as *vidua* or *puella* when marital or familial status was seen as more important than their work to their identities. When women's work identities were considered more pertinent, though, the converse happened: a precise marital status was not considered crucial and the umbrella term *soluta* was used. Again, a quantitative comparison of the categorization of women will be used to indicate trends. Not all of the return has survived and Figure 1.2 does not purport to include all the extant entries. Those that were damaged to the

²¹ *The Making of King's Lynn: A Documentary Survey*, ed. D. M. Owen, Records of Social and Economic History n.s. 9 (London, 1984), pp. 228 and 231. The term *sola* as used in the Salisbury 1379 poll tax returns also seems to be an umbrella category: PRO E179/239/193/20; EXT 6/99/44; EXT 6/99/90; EXT 6/99/162. I am indebted to Caroline Fenwick for drawing my attention to these returns, which she has identified as belonging to Salisbury in 1379, and allowing me access to her unpublished transcriptions of this material. The vernacular 'single woman' was used in a variety of texts as an umbrella term: C. Beattie, 'The Single Woman in Later Medieval England' (forthcoming D.Phil. dissertation, University of York).

extent that they could not be divided into female and *soluta*, *vidua*, *puella* or none of the above, have not been included.

The majority of women in the Lynn return are classified according to their work, either as a servant or by an occupation. It seems significant, therefore, that no woman categorized as *vidua* or *puella* was also identified in this way – significant, because it is likely that at least some widows and maidens worked. Again it seems that there was some prioritization of categories. For the women labelled as *vidua* or *puella*, I will argue that it was their marital/familial statuses that were seen as crucial to their identities, rather than their work.

The use of the category widow is unsurprising, given that it is one that occurs in the Anglo-Norman schedule authorising the tax, albeit only for high status widows.²² However, as we have seen from a brief consideration of the 1379 return for Derby, assessors could choose to classify women in a different way. What is perhaps more telling, given the frequent use of dual classification in the Lynn return, is that all twenty-eight women of the women described as widows have no other categorization. Whilst some of the women described as *soluta* with occupational statuses might have been widows, that there are only thirteen women described by a specific occupation suggests that this was not happening to any great extent. Rather, it seems that the term *vidua* predominated over an occupational designation. The use of the term *puella* in this return also suggests prioritization for marital/sexual statuses.

The category *puella* is not one that occurs in the schedule. It is only used seven times in the extant return for Lynn and not in any other poll tax listing.²³ *Puella* usually denoted youth.²⁴ However, everyone listed in the 1379 return was over the age of sixteen. Also, no servant is described as *puella* and it is unlikely that all 112 servants were significantly older than sixteen. Female servants in late medieval Yorkshire, for example, were found, from deposition material, to be largely between the ages of twelve and twenty-four. So it does not seem likely that *puella* was used here solely to signify youth. It seems significant, though, that those categorized as *puella* are nearly all also described as daughters. The only exception is a damaged entry which might well have used both categories. Also, these females are all described in relation to a parent who is listed above and therefore were probably living at

²² *Rotuli Parliamentorum*, III, 57–8. For example, ‘countesses veoves’ down to ‘femme veove de . . . marchant suffisant’.

²³ Again I am grateful to Carolyn Fenwick for confirmation of this point.

²⁴ For example, in the texts cited by the *Middle English Dictionary* in relation to the term ‘maid’ and its variants, *puella* is often given as an equivalent. The meanings given are ‘a small girl’, ‘girl baby’, ‘girl child’, ‘girl’, ‘young girl’, ‘young woman’ and ‘young unmarried woman’: *Medieval English Dictionary*, ed. S. Kuhn, H. Kurath and R. E. Lewis, in progress (Ann Arbor, MI 1956–). Cf. *Revised Medieval Latin Word-List*, ed. R. E. Latham (London, 1980), p. 381, where ‘puellaritas’ is defined as maidenhood (pre-1300) and ‘puellitas’ as girlhood (in 1461).

home.²⁵ It could be suggested, given the nature of the text, that the use of the term *puella* might have been to suggest that the females were economically dependent on a parent.²⁶

A possible flaw in this argument is that five more females in the Lynn returns are described as daughters of parents who are listed above, but additionally categorized as *soluta*. It is possible that the latter designation was meant to indicate difference. If *puella* signified economic dependence, it might be that daughters described as *soluta* were perceived as economically active and contributing to the household economy. However, this reading should not be pushed too far. The difference between the *soluta* daughters and the *puella* daughters might not extend beyond the different categories used. The five *soluta* daughters were part of just two households which are very near to each other in the returns. It is possible that the designations of these daughters as *soluta* rather than *puella* might be due to a particular assessor or scribe rather than any differences between the females involved. Nevertheless, the correlation between those labelled as *puella* and the description 'daughter' is clearly apparent.

It seems that the Lynn assessors saw the relationship of the females labelled *puella* to their parents as an important one. Similarly, the use of the category *vidua*, in isolation from any other category, suggests that the Lynn assessors saw these women's identities as bound up with their deceased husbands. However, whilst for the women labelled as *vidua* and *puella* marital or familial status was seen as more pertinent to their identities, it can be argued that for those women categorized by the umbrella term *soluta* it was generally their work identities which were considered more important. 114 of the 125 readable entries for women described as *soluta* were also categorized by a work identity. The largest group in this category are the women described as servants, numbering 102. Whilst servants could also be seen as dependants, that they were categorized differently from the six *puella* daughters suggests that, for these females, their work affected the way that they were conceptualized in this text. The use of *soluta* to describe them, rather than *puella*, might also suggest that the assessors perceived them as more economically independent.

I have argued that at least two models of categorizing women can be seen operating in the Lynn return. The brief consideration of four other poll tax returns suggested that assessors varyingly chose to prioritize either marital or occupational statuses. However, it is perhaps the use of the more precise marital status *puella* in the Lynn return that calls attention to the underlying meanings of such classifications. Together with *vidua*, *puella* makes up two

²⁵ Four maidens are listed beneath married fathers; the other two were sisters and listed beneath a widowed mother: *Making of King's Lynn*, ed. Owen, pp. 222, 223, 224, 227 and 232.

²⁶ In medieval Leonese and Castilian law codes the status *fija emparentada* (a parented girl) signified an economically dependent daughter: Dillard, *Daughters*, p. 18.

thirds of the tripartition of secular womanhood referred to by Henrietta Leyser ('virgins, wives or widows'), a commonplace in both theological and secular literary texts.²⁷ It could be argued, however, that the assessors were not only using acceptable frameworks, but were attempting to establish the authority of a certain vision of social order.²⁸ Reading *puella* in the context of a poll tax return, it has been suggested that it might denote the perceived economic dependence of daughters living at home in contrast with more economically independent female servants. It thus signifies a vision of social order in which daughters living at home were seen as the responsibility of a parent. Such a reading hints at possible conflict between models, an argument I will return to after the consideration of the King's Bench case. The next section, though, will focus on an example of interplay between different ways of conceptualizing women.

'Femme sole' and 'femme covert': interplay in a consistory court case

The second text for consideration is a deposition concerned with the trustworthiness of two female witnesses, a wife and a widow. The emphasis will be on one statement in which the women are not only described by marital status and said to earn a living respectably, but their marital status and their work are interlinked. However, it will be used in conjunction with other records from the same case. First, though, I will briefly discuss the nature of the text and the process from which it emanated as such factors would have undoubtedly affected how the women were represented.

The procedure regarding witnesses in marriage litigation cases followed a number of stages. The witnesses were produced in open court to be sworn but their examinations were conducted outside of the consistory court. These were done one by one and in private, by either the judge or a court-appointed

²⁷ On the theological see, for example, the early thirteenth century statutes of Bishop Stavensby found in eleven manuscripts from the thirteenth to the fifteenth centuries: *Councils and Synods with other Documents Relating to the English Church*, ed. F. M. Powicke and C. R. Cheney, 2 vols. (Oxford, 1964–81), II¹, 207–26 (p. 222); Casagrande, 'The Protected Woman', pp. 79–83. Middle English literary examples from the late fourteenth century include Chaucer's 'be she mayde, or wydwe, or elles wyf' ('Knight's Tale', l. 1171) and Langland's 'wyues and wydwes . . . and . . . douztres' (*Piers Plowman*, B-text, Passus VI, ll. 13–14): *The Riverside Chaucer*, ed. L. D. Benson, 3rd edn (Oxford, 1987), p. 41; *The Vision of William Concerning Piers the Plowman in Three Parallel Texts together with Richard the Redeless by William Langland*, I, ed. W. W. Skeat (Oxford, 1886), p. 194.

²⁸ Cf. Scott, 'Statistical Representation', p. 115. The parliamentary schedule which set out the rates for the 1379 poll tax has been discussed as an attempt to re-schematize the ordering of a changing society: Dyer, *Standards of Living*, pp. 13–14; Keen, *English Society*, pp. 9–16 (esp. pp. 9–10).

examiner (the York court had an officer called the examiner general). The witnesses were questioned according to a series of statements, known as articles if produced by the plaintiff, or interrogatories if produced by the defendant. The examiner, however, had the right to ask further questions, and such supplementary questions can sometimes be deduced from the written records. The questioning probably took place in English or French, but the records, known as depositions, were written up in Latin, probably afterwards, although a scribe was present at the examinations. It is only at this stage, after the taking of the depositions, that the status or character of the witnesses could be objected to. Sometimes it was just their general trustworthiness that was challenged. Testimony and argument about this would then follow.²⁹ The records that I will discuss all emanate from this stage, although these also take the form of articles, interrogatories and depositions. This discussion of how the records were produced shows the extent to which they are the products of a canon legal system.³⁰ However, it is how the women are conceptualized rather than by whom that is important to the argument here so, for the purpose of discussion, the formulations will be referred to as belonging to the parties involved.

The records to be considered relate to a matrimonial case heard before York's consistory court in 1394.³¹ Margery Spuret was challenging the validity of a contract of marriage between Thomas de Hornby and Beatrix Gyllyng on the basis that Thomas had made a precontract with her five years earlier. Her two main witnesses were her widowed mother, Isabel Spuret, and a married female relative, Juliana del Grene. Part of Thomas's defence was to question the trustworthiness of these two witnesses. As a result two of Margery's other supporters, John Wyrsdall and Robert Polayn, were asked about the status and character of the women. My discussion will focus on John's deposition but draw in illustrative evidence from both Robert's deposition and the lists of questions to be put to these witnesses.

John Wyrsdall was also a relative of Margery. He defended the reputation of the two female witnesses by claiming that he had known them a long time, that neither of them had been accused of perjury as far as he knew and that they were of good standing amongst all people. The women are described as

²⁹ R. H. Helmholz, *Marriage Litigation in Medieval England* (Cambridge, 1974), pp. 17–19, 128–31 and 154–6. A deposition by John Wyrsdall, considered below, suggests that supplementary questions were asked: see *Women in England c. 1275–1525*, ed. and trans. P. J. P. Goldberg (Manchester, 1995), pp. 106–7.

³⁰ A point that is also made in P. J. P. Goldberg, 'Fiction in the Archives: The York Cause Papers as a Source for Later Medieval Social History', *Continuity and Change* 12 (1997), 425–45 (p. 438), and of similar Florentine evidence in T. Kuehn, 'Reading Microhistory: The Example of *Giovanni and Lusanna*', *Journal of Modern History* 61 (1989), 512–34 (pp. 518–19).

³¹ York, Borthwick Institute of Historical Research, Cause Paper, York Consistory Court: CP E 159. I am grateful to James Binns for checking my Latin. Some of the depositions are translated in *Women in England*, ed. Goldberg, pp. 103–9.

trustworthy, honourable, honest and wealthy. However, there is one statement which is of particular interest. John is recorded as having said that, 'Isabel is an honest widow [*vidua honesta*] and lives honourably by the lawful and respectable labour of her hands and Juliana is a wife [*uxor*] and lives by the labour of her husband and of her own hands.'³² This conceptualization of the two women has a number of interesting facets. First, the women are identified by their marital statuses, *vidua* and *uxor*. Second, the work that they do is referred to. Third, this work is implicitly related back to their marital statuses. And, fourth, more effort seems to have been expended on the description of the widow as trustworthy. These will be considered in more detail below.

In the interrogatories Isabel and Juliana are described in terms of their relationship to the woman bringing the case: that is, as mother of and blood relation to Margery Spuret. By referring to their marital statuses in his answer, John was not only showing that he knew some details about these women and so was qualified to comment on their trustworthiness, but he was also positioning the women within various acceptable frameworks. Again, *vidua* and *uxor* relate to the commonplace tripartite categorization of secular women. However, the categories also had additional meaning within a legal context. A discussion of this by Sue Sheridan Walker can be usefully considered: '*Wife* and *widow* are related but opposite terms. *Wife* corresponds to the legal description *femme covert*, one whose legal existence is "covered" by her spouse; *widow* denotes an autonomous status equivalent to the legal term *femme sole*, a woman who enjoyed full legal personality.'³³ Whilst the legal categories *femme sole* and *femme coverte* did not apply in a church court, similar connotations can be usefully read into the statement. As I will argue, Juliana's identity, marital and occupational, is presented as inextricably bound up with that of her husband, whereas Isabel is constructed as an autonomous individual.

There are, furthermore, many reasons why it is said that Isabel and Juliana

³² BIHR CP E 159: 'Isabella est vidua honesta et honeste viverit de laboribus manuum suarum licitum et honestum et dicta Juliana uxor est et viverit de laboribus mariti sui et manuum suarum propriarum.' Both the surviving set of interrogatories and Robert Polayn's response to the same question, the third interrogatory, suggest that the formulation was not just a positive response to the language used. There is an interesting parallel, however, from thirteenth-century France. At an ecclesiastical inquest in St Denis in 1282-3, about miracles said to have taken place at Louis IX's tomb, witnesses were asked what they were worth. Testimonies for seven married women survive. Of these, one said that she lived on the labour of her husband and four that they lived on their own labour and that of their husbands: S. Farmer, 'Manual Labor, Begging and Conflicting Gender Expectations in Thirteenth-Century Paris', in *Differences and Genders in the Middle Ages*, ed. S. Farmer and C. Pasternack (forthcoming). I am indebted to Sharon Farmer for letting me see a copy of this.

³³ S. S. Walker, 'Introduction', in *Wife and Widow in Medieval England*, ed. S. S. Walker (Ann Arbor, MI, 1993), 1-16 (p. 3) (author's italics).

work by their own hands. Robert Polayn is also recorded as having said that the women 'live by the labour of their hands'.³⁴ The statements are partly a response to Thomas's counter-attack that the women were 'common and lowborn craft workers . . . and of ill repute'.³⁵ One way to discredit someone in a consistory court was to suggest that they were dependent and thus open to bribery. To work by one's hands was considered better than to live off others.³⁶ This also ties in with questions of motivation. Thomas alleged that the women had economic motives in trying to get the marriage enforced. Margery's supporters therefore needed to counter such assertions. Whilst it seems that the nature of the defence of the women was to some extent dictated by Thomas's allegation, it might also be suggested that the identity of 'honest worker' was a position of virtue that might usefully be adopted in respect of a woman. This is an idea that I will return to when considering the King's Bench case.

The statement, however, does not only describe the women by their marital status and say that they earned their livings respectably. It also makes a connection between their marital status and their work. Isabel is a widow and so must support herself. Juliana is a wife who works but also lives on the income brought in by her husband. Another statement by John Wyrdsall also refers to this interrelationship between the women's marital and occupational statuses: 'they practise the craft which is called "Kemstercraft" and from that they live and get their sustenance and the said Juliana also practises the craft of the saddler with her husband'.³⁷ Again this suggests that the widow, the woman alone, supports herself. However, Isabel is presented not just as supported by her husband but also as working with him. Her occupational identity is inextricably linked to his.

It also seems that more effort was expended on the description of the widow as trustworthy. In the statement, Juliana is a 'wife' but Isabel is an 'honest widow'. Juliana lives 'by the labour of her husband and of her own hands' but Isabel lives 'honourably by the lawful and respectable labour of her hands'. Whilst this might be because Isabel is discussed first and what is said about her implicitly refers to Juliana too, it could be that it is tied in with Isabel's status as a widow. In one of the statements recorded in Robert Polayn's deposition, Juliana is discussed first and called *mulier honesta* but

³⁴ BIHR CP E 159: 'vivunt de operibus manuum suarum'.

³⁵ BIHR CP E 159: 'plebee ac artifices ignobiles . . . et male fame'. Such assertions were fairly formulaic. See, for example, Helmholtz, *Marriage Litigation*, p. 156.

³⁶ See, for example, the depositions about a female witness in a York cause of 1355 which allege that she was supported by her neighbours: *Women in England*, ed. Goldberg, pp. 159–60. For the importance of this ideology in thirteenth-century Paris see Farmer, 'Manual Labor'.

³⁷ BIHR CP E 159: 'exercent artificium quod vocatur "kemstercraft" et inde vivunt et adquirunt victum suum et dicta Juliana etiam utitur artificio sellarii cum marito suo.'

then Isabel is discussed and called *vidua honestam*.³⁸ There are a number of plausible reasons why the description of the widow required more amplification.

The women's trustworthiness was challenged partly on the grounds that they had economic motives in espousing the marriage. Could it be that as the formulation 'poor widow' was so prevalent there was more at issue in proving that a widow was not poor and therefore honest?³⁹ The ambivalence of the widow's status in medieval society has been commented on, for example, by Henrietta Leyser: 'On the one hand, widows were perceived in biblical terms as objects of respect and charity; on the other hand . . . they were expected to be avaricious and sexually greedy.'⁴⁰ As the term 'widow' could have both positive and negative connotations, it might have been that it was used to help Isabel's case because it was a respected category but, due to its ambivalent nature, it had to be used very carefully. That is, it needed qualifying adjectives to convey the right impression. That more effort was expended on the description of the widow as trustworthy might also in part be due to connotations of the category 'wife'. Once this category was used, Juliana's reputation was seen as inextricably bound up with her husband's so there was less need to stress hers. His status spoke for Juliana's. This can all be related back to the legal point made by Walker. Not only was a wife's legal existence 'covered' by her spouse, but so were ideas about her work identity and reputation, whereas a widow with a full legal personality also had an autonomous work identity and reputation.

Whilst both women were represented by the conventional categories of *vidua* and *uxor*, these were not just neutral formulations but had deeper meanings. There was also something at stake in using them. The women's reputations were being challenged by Thomas de Hornby, partly on economic grounds. One response was to link their work to their marital statuses, perhaps in an attempt to make it look more reputable. In such a context the conventional category 'widow', with its associations with

³⁸ BIHR CP E 159. Whilst *mulier* could mean 'wife' rather than just 'woman', Robert's deposition elsewhere uses *mulieres* to refer to Isabel and Juliana jointly.

³⁹ The formulation 'poor widow' had Biblical precedents, for example, Mark 12. 41–4 and Luke 21. 1–4. Also, see Chaucer's 'povre wydwe' ('Nun's Priest's Tale', l. 2821, written c.1396–1400: *Riverside Chaucer*, ed. Benson, p. xxv). Cf. the women described as *viduam pauperulam* in the 1379 poll tax return for Derby, cited above. L. Mirrer, 'Introduction', in *Upon My Husband's Death: Widows in the Literature and Histories of Medieval Europe*, ed. L. Mirrer (Ann Arbor, MI, 1992), pp. 1–17 (p. 2) comments on the association of widowhood with poverty.

⁴⁰ Leyser, *Medieval Women*, p. 168. Similar comments can be found in Mirrer, 'Introduction', pp. 1–2; B. A. Hanawalt, 'Remarriage as an Option for Urban and Rural Widows in Late Medieval England', in *Wife and Widow*, ed. Walker, pp. 141–64 (p. 141); J. Carpenter and S. Maclean, 'Introduction', in *Power of the Weak: Studies on Medieval Women*, ed. J. Carpenter and S. Maclean (Urbana, IL, 1995), pp. xi–xix (p. xvi).

poverty, had to be carefully used. Whilst the statement focused on stressed the interplay between the women's marital and occupational identities, the formulation was a response to an alternative way of conceptualizing the women. It is an example of such conflicting constructions that the next section will consider.

Adulteress or honest worker? Conflicting constructions in a King's Bench case

The third text is the record of a trespass case brought before the King's Bench by a woman. The focus here is not on terminology but on a more general consideration of the construction of the woman's identity. Not only will I consider how the defendants represented her, but the subject position that the plaintiff occupied will be examined. Whilst the men presented her as sexually immoral, the woman responded not as a chaste woman but as an 'honest worker'. The relationship between the identities considered here is one of conflict. Again, I will begin with a brief discussion of the nature of the text and the court.

The King's Bench was one of the major common law courts in late medieval England. It had the authority to examine and correct all errors in law and in fact from any court except the Exchequer. However, it also dealt with pleas that concerned the king in some way. Allegations of trespass which claimed that the king's peace had been broken thus came under the remit of the King's Bench.⁴¹ Therefore phrases such as *contra pacem regis* and references to *vi et armis, cum gladiis baculis etc* were often included in order to justify the appearance of certain cases in that court.⁴² Again the records of such cases are very much the products of a particular legal system.⁴³ I have indicated my interest in the subject position occupied by the plaintiff and, whilst a record of a case does not allow one access to a historical woman who assumed a specific subject position in a conscious way, it does present us with a textual subject. This subject was clearly the construction of an

⁴¹ On the King's Bench generally see the introductions to *Select Cases in the Court of King's Bench*, ed. G. O. Sayles, 7 vols., Selden Society 55, 57, 58, 74, 76, 82, 88 (London, 1936–71); M. Blatcher, *The Court of King's Bench 1450–1550: A Study in Self-help* (London, 1978). Useful summaries can be found in W. Holdsworth, *A History of English Law*, I, 7th edn (London, 1956), pp. 204–31; A. L. Brown, *The Governance of Late Medieval England 1272–1461* (London, 1989), pp. 128–32; A. Musson and W. M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth Century* (Basingstoke, 1999), pp. 17–20.

⁴² P. C. Maddern, *Violence and Social Order: East Anglia 1422–1442* (Oxford, 1992), p. 22, argues that the use of such phrases might not have been indicative of actual violence; Palmer, *English Law*, pp. 152–66 (p.166) contends that, 'The allegation of *vi et armis* was not fictitious but was rather a low-threshold test'.

⁴³ On this in relation to King's Bench records see Maddern, *Violence*, p. 29.

interplay between the plaintiff and the legal system. For the purpose of discussion, I will refer to this subject by the name of the plaintiff.

In 1386 Joan Garton brought a trespass case before the King's Bench against three men.⁴⁴ As this was a common law court, she must have been either never married or a widow.⁴⁵ Joan alleged that the men, John atte More, a brewer, Richard Gryndere and Hugo Boyseyvill, a butcher, broke into her house and took away various goods and chattels. References to *vi et armis* and *gladiis baculis* are made in the allegation. The men admitted breaking into the house but denied force and wrong. Richard said that he was the beadle of the ward, and John and Hugh asserted that they were servants of the beadle. They claimed that, according to a custom of the city, if the beadle heard a rumour that a person was concealing him or herself in someone else's house for the purpose of illicit sex, then the officer was allowed to enter and search the house and to expel the person. Richard claimed that he had heard that Joan had a married man in her house for such purposes and so he and his servants had searched it. The right to break closes as legal officers, whether in relation to illicit cohabitation, apprehending felons or stopping disturbances, was a customary defence.⁴⁶ However, Joan's response answers the allegation of sexual immorality with a counter-charge of economic sabotage. It states that Joan used to buy ale to resell from John atte More, a brewer who also ran a tavern. However, when she started to buy ale elsewhere but continue to sell it near his tavern, John was moved by anger to get the beadle to enter her house under circumstances which might cause Joan to leave the ward. Although Joan goes on to say that no *malum*, wrongdoing, or suspicion of it was found, it is notable that this response shifts the emphasis from the sexual to the economic.⁴⁷ There is no specific reference to the accusation of sexual immorality.

The record thus gives us two different accounts of the motivations behind the breaking of Joan's house. The value of the case, though, does not depend on establishing the 'truth', but is in what was considered believable.⁴⁸ Whilst

⁴⁴ PRO KB 27/499, m. 22d (*Coram Rege* roll, Hilary 1386). Part of the record for this case is edited in *Select Cases of Trespass from the King's Courts 1307–1399*, I, ed. M. S. Arnold, Selden Society 100 (London, 1984), pp. 170–1.

⁴⁵ On the position of women in relation to common law see the summaries in R. Kittel, 'Women under the Law in Medieval England 1066–1485', in *The Women of England from Anglo-Saxon Times to the Present: Interpretive Bibliographical Essays*, ed. B. Kanner (London, 1980), pp. 124–37 (pp. 128–31); K. E. Lacey, 'Women and Work in Fourteenth and Fifteenth Century London', in *Women and Work in Pre-industrial England*, ed. L. Charles and L. Duffin (London, 1985), pp. 24–82 (pp. 26–42); C. M. Barron, 'The "Golden Age" of Women in Medieval London', *Reading Medieval Studies* 15 (1989), 35–58 (pp. 35–8). Women were more likely to be identified by marital status in the plea rolls after the Statute of Additions of 1413: Philippa Maddern, personal communication.

⁴⁶ *Select Cases of Trespass*, I, ed. Arnold, p. lxxv.

⁴⁷ *Select Cases of Trespass*, I, ed. Arnold, p. 171.

⁴⁸ See, for example, Davis, *Fiction in the Archives*; E. Muir and G. Ruggiero, 'Afterword: Crime and the Writing of History', in *History from Crime*, ed. E. Muir and

the legal system which produced the record shaped the presentation of events, within these parameters Joan's response is nevertheless interesting. First, it suggests that it was considered feasible that a man, in the face of female competition to his livelihood, might use an accusation of sexual immorality to discredit her.⁴⁹ Second, that a position of strength might be that of the 'honest worker'. Having suggested in the previous section that the emphasis on Isabel and Juliana's manual work might in part be because the identity of 'honest worker' was a position of virtue, I will consider this point in more detail.

The men's actions and their statement in court had called Joan's sexual morality into question. However, her response does not stress her good sexual reputation as a 'chaste maid/widow'. Nor does it adopt the position of 'innocent victim'. Rather, it constructs Joan as an 'honest worker' and stresses her success as a seller of ale.⁵⁰ It is claimed that Joan changed brewers because *sibi competentem* (it suited her better) and that she then sold *multam cervisiam* near John's tavern.⁵¹ There is nothing apologetic in the tone, no claim that Joan had no choice but to make her living in this way. The men's actions might have arisen as a consequence but there is no suggestion that there was anything blameworthy in her actions. Rather, Joan is presented as a shrewd businesswoman who made decisions for economic reasons and did not see why she should suffer as a result. Clearly the plaintiff, and presumably any legal advisors she had, did not think such a position would be damaging to her case.

A useful parallel can be found in Miranda Chaytor's work on seventeenth-century rape cases. Frequent references to their work in the victims' narratives led Chaytor to argue that, 'for a woman reporting a rape, honour was everywhere except in her chastity . . . it was, had to be, metaphorically transposed from the sexual body to the body that worked'.⁵² In the King's Bench case, as her sexual virtue had been challenged, Joan had to suggest her

G. Ruggiero, trans. C. B. Curry et al. (London, 1994), pp. 226–36 (pp. 235–6); Gowing, *Domestic Dangers*, especially Chapter 7.

⁴⁹ On associations of women in the ale trade with sexual immorality see J. M. Bennett, *Ale, Beer, and Brewsters in England: Women's Work in a Changing World, 1300–1600* (Oxford, 1996), pp. 122–44 (esp. p. 133). For two examples of how rumours could damage a brewster's trade see Bennett, *Ale, Beer, and Brewsters*, pp. 135–6. The King's Bench case fits with Bennett's chronology that the late fourteenth century was a time of competition in the brewing trade and unmarried women in particular were being forced out: Bennett, *Ale, Beer, and Brewsters*, pp. 37–59 (esp. pp. 43–55).

⁵⁰ The categories 'chaste maid/widow', 'innocent victim' and 'honest worker' are some of the subject positions that I have identified from a study of late fifteenth and early sixteenth century early chancery proceedings concerning unmarried women. I am currently engaged in identifying similar positions in a wider variety of texts: Beattie, 'Single Woman'.

⁵¹ *Select Cases of Trespass*, I, ed. Arnold, p. 171.

⁵² M. Chaytor, 'Husband(ry): Narratives of Rape in the Seventeenth Century', *Gender and History* 7 (1995), 378–407 (p. 385).

honesty through her work rather than her sexual reputation. The allegation of sexual immorality was countered with one of economic competition. The representation of Joan as an adulteress was answered by Joan the 'honest worker'. However, whilst the sexual and the economic are set up as in conflict, such opposition was possible precisely because of a complex interrelationship between them. The construction of Joan as an adulteress was intended to damage her trade. Similarly, Joan's response to the challenge to her sexual virtue was to adopt a different position of virtue, that of the 'honest worker'. The conflict is, in some respects, a result of the co-existence and interplay of different models.

The problem of women's work identities: some conclusions

Whilst all three texts considered here conceptualized women in relation to their marital/sexual/social statuses, occupational and economic statuses were also important. The 1379 poll tax return for Lynn was used to show that both ways of classifying women could co-exist. John Wyrsdall's statement from the matrimonial dispute demonstrated an interplay between marital and occupational statuses, whereas the record of the King's Bench case was used to show conflict between the sexual and the economic. Elements of the different models co-existing, interrelating and competing, however, can clearly be found in all three texts. It is the theme of conflict that I will return to here in that, as suggested in the last section, it embodies aspects of the other two modes, as for models to conflict they must first co-exist and share a complex interrelationship.

The medieval formulations referred to in the quotations from Patterson and Leyser were attempts to establish the authority of certain visions of social order. Similarly, poll tax assessors, the canon legal system and participants in a King's Bench case not only conceptualized women within acceptable frameworks but also sought to establish the authority of their own visions. However, whilst such formulations are presented as unproblematic, they were clearly being offered at the expense of different models. For example, the Lynn poll tax assessors played down the significance of some women's work to their identities by privileging their marital and familial statuses. John Wyrsdall's statement might have linked Isabel Spuret and Juliana del Grene's honesty to their work, but Thomas de Hornby sought to denigrate the women by calling them 'lowborn craft workers'. Likewise, Joan Garton adopted the subject position of 'honest worker' because, it was alleged, John atte More was trying to stop her selling ale in her parish by suggesting that she was an adulteress. A close reading of the three texts reveals the existence of alternative ways of conceptualizing women, some of which emphasize their work identities more than others.

The conceptualization of women by marital/sexual/social status might

relate to the Middle Ages as a whole.⁵³ However, this article has argued that it was by no means the only model but rather co-existed, interacted and competed with alternative models which also recognized women's occupational and economic statuses as important. There is a need, therefore, for such models to be examined within the specific textual and historical contexts in which they occur. The conceptualization of women in the three texts considered here suggest conflicting views about how women were seen in relation to work. As I have commented, in times of labour shortage in post Black Death England, women's work was needed. However, that they were generally hired for lower-status, lower-paid jobs than men suggests the existence of gendered ideas about work. Whilst different models will always compete, in late fourteenth century England, in such a context, the meanings associated with women's work might have been particularly contested.

⁵³ Indeed, the argument that for women marital status was their defining identity whereas for men it was occupation, has been made for other periods, including America in the 1970s: N. Chodorow, *The Reproduction Of Mothering: Psychoanalysis and the Sociology of Gender* (London, 1978), pp. 178–80.

Work Ethics in the Fourteenth Century

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The 'work ethic' is commonly used to describe attitudes towards labour found in modern industrial society. The phrase refers to a mentality which regards work in a positive light and which perceives it as beneficial, rewarding and improving. The normal expectation is that work will occupy a high proportion of our time, and that excessive idleness is morally wrong. Following from these assumptions, work is conducted within a framework of rules and norms. Workers are expected to commit themselves to their tasks diligently and effectively, and to accept discipline and supervision. In return, employees can expect to be fairly rewarded by receiving a just wage and other benefits. Leisure is precisely defined as an alternative to work, but is not mere idleness. It should be organized and even be purposeful and constructive. Work has a place in the life cycle. Young people are educated in preparation for a period of production, which is followed by retirement.

The modern work ethic plays a crucial role in structuring social relationships. This applies not only to 'labour relations' between employers and employees, but also to households and neighbourhoods consisting of workers and non-workers who have their attitudes to one another formed partly from the work ethic. For example, the work ethic will influence ideas about social security and the entitlement of the poor, giving rise to the belief that charity can undermine or reinforce the motive to earn. Of course the whole issue is problematic today, and the work ethic is either rejected, or understood in special ways, by different sections of society. In general, employers have a greater enthusiasm for the work ethic than low-paid manual workers, and those who are unemployed or partially employed may reject the whole concept.

When was the work ethic formed? A strong body of opinion holds that it emerged in the seventeenth, eighteenth and nineteenth centuries. Ideas about the wasteful use of leisure, and attempts to control or abolish sports and pastimes, emerge with the seventeenth-century puritans, and reached their culmination in the Industrial Revolution. Concern for timekeeping, disciplined work routines and regular employment are linked with the growth of factories and large-scale employment in modern times.

Those who advocate this view tend to picture medieval or 'pre-industrial' work as involving a different pattern of behaviour, which was based on negative perceptions of labour.¹ Work was seen, like servitude and social inequality, as a result of the Fall from grace. Adam and Eve had been forced to work after their expulsion from the Garden of Eden, and subsequent generations, it was believed, had to follow their example because of their burden of sin. Much work was indeed enforced, as a duty to a lord or to the head of a household. It was an intermittent activity because in an agrarian economy tasks were determined by the seasons, with periods of enforced idleness when the weather was unfavourable or the main tasks such as ploughing or the grain harvest had been completed. Trade and industry was also subject to cyclical fluctuations: for example, fishermen were very active before and during Lent, and the artisans who made clothing, footwear and farm implements found that these products were in demand among peasants after the harvest. Many activities were carried out on a small scale on peasant holdings or in artisan workshops, so a high proportion of the population did not have work disciplines imposed on them, but were 'self-employed'. In these working households the day's labour was often not focused on a single continuous job; instead, time had to be divided among a number of tasks. Production and consumption went on together, and domestic tasks were mingled with market-oriented activities. There was no fixed routine to a working life either: children were drawn early into work, and old people were expected to make a contribution or (in the absence of support from children or charity) to earn their own livings.

In this interpretation of medieval labour, it is emphasized that people tended to work slowly and inefficiently, and to stop whenever possible. It is said that their activities were not measured or timed accurately, and they worked until the job was completed. Those who performed labour services were sometimes committed to haymaking and harvesting 'until it is gathered'. To use modern phraseology, they were 'task-oriented' rather than 'time-oriented'. It is possible to find texts which show that idleness was accepted, so that beggars would be given alms as a social and religious duty which brought benefits to the giver as well as to the recipient. Many churchmen seem to have believed that beggars were part of the social scene, not an evil to be abolished, and among the clergy the friars avoided property and labour, and relied on the gifts of the faithful for their living. Unemployment, including a conscious decision by the able-bodied not to

¹ K. Thomas, 'Work and Leisure in Pre-Industrial Society', *Past and Present* 29 (1964), 50–66; this broad approach has been reiterated by P. Burke, 'The Invention of Leisure in Early Modern Europe', *Past and Present* 146 (1995), 136–50. I am grateful to the organizers of the York conference for their invitation to give this paper, and those attending for their stimulating questions and comments in discussion, which have influenced this version of my paper. Jeremy Goldberg has been a patient editor.

work, was not just tolerated, but was admired by some and regarded as spiritually improving.²

In the eyes of these modern observers, then, leisure in the Middle Ages was given a high priority. The year was punctuated by numerous holidays and festivals, which were fixed according to a religious calendar which took little account of the practical needs of farming. At a busy time in March and April, for example, spring crops like barley, oats and beans were planted. These often accounted for the bulk of the area sown, and their success was essential for the well-being, indeed the survival, of peasants and their families. In spite of the importance of this phase of the agricultural year, to modern eyes it seems irrational that Easter (which spread over a number of days), Hocktide and a clutch of saints' days were likely to interrupt the vital tasks of ploughing, harrowing and sowing.

Work, play and rituals in the Middle Ages appear in our modern view to have been mingled in ways that would detract from a properly disciplined attitude towards the tasks in hand. Work for a lord was sometimes rewarded with meals accompanied with large quantities of ale, which may not have contributed to efficiency. Take for example the perquisite laid down by custom and recorded in the thirteenth and fourteenth centuries for those who did haymaking as a boon work (a collective labour service), which allowed to each mower the amount of grass that he could balance on his scythe blade (to feed his own animals).³ If he attempted to pick up too much, and the wooden scythe handle broke, the bundle of hay was forfeit, and the excessively ambitious peasant went home empty handed. Presumably the art of balancing as large a quantity as possible became a contest between the workers, who gathered in a circle to watch each attempt, cheering and groaning as appropriate. The whole occasion ended with a feast, because the lord often provided a sheep and a cheese as a collective gift to the haymakers. Not only did this custom combine work and pleasure, it also provided a reward based on chance or daring rather than the specific task in a way that did not encourage committed and consistent work. This is an extreme example of a payment system which was not entirely determined by reason and equity. Employees (as distinct from tenants performing labour service) were not as dependent on such arbitrary ways of fixing their rewards, but nonetheless were given meals, or in the case of servants shelter, food and clothing, which was not directly related in quantity and quality to the tasks performed. The mowing boon also illustrates another dimension of medieval work, that is its collective character,

² The literature on this theme is summarized by M. Rubin, *Charity and Community in Medieval Cambridge* (London, 1987), pp. 54–98.

³ A. Jones, 'Harvest Customs and Labourers' Perquisites in Southern England, 1150–1350: The Hay Harvest', *Agricultural History Review* 25 (1977), 98–107. In seeking to reflect the opinions of those who are unsympathetic to a medieval work ethic, I have reported the 'sporting chance' interpretation of this custom, of which Jones takes a sceptical view.

which could be regarded as detracting from individual responsibility and effort. Modern critics might say that it was enough to have participated, not to have performed the task carefully and conscientiously.

All of these generalizations about medieval work have some validity, and are based on contemporary evidence. However, this does not enable us to make a strict separation between 'medieval' and 'modern' attitudes towards work. Many 'pre-industrial' practices survive in our own times: take for example the irregular working lives of students, both in relation to their academic activities and their intermittent paid employment, and for that matter also the episodic seasonal and daily working behaviour of their teachers. In modern factories and offices, where one might expect to find more conventional routines, medieval practices survive and have even been increasing with the introduction of flexible hours, tasks performed by teams, and more work at home. In the same way we can find a variety of attitudes in the Middle Ages, including approaches to work which seem to anticipate those normally regarded as 'modern' and which were expressed with particular force and clarity in the debates about labour, wages and charity in the late fourteenth century.

Labour in the fourteenth century

In the century and a half before the Black Death of 1348–9 the economy had expanded rapidly, leading to extensive urbanization and strong commercial influences in the countryside, so that a high proportion of the population earned wages. By the end of the thirteenth century the lowest estimate for those mainly dependent on employment by others is 50 per cent, and almost certainly much in excess of this figure if the large numbers of under-documented young people are included. By 1300 most peasants were seeking to maximize agricultural production at a time of high demand for food, and those involved in craft work were responding to a well co-ordinated market which often carried products over considerable distances.⁴ Intellectuals revised their assessment of work, which was increasingly regarded as a worthwhile activity, rather than a punishment for the sins of mankind. Monks had long before included in their rules an obligation to work, which had been reinforced by new orders such as the Cistercians in the twelfth century. The social theory which divided mankind into three orders implied that work was a divinely sanctioned duty which entitled peasants to the protection and prayers of the other orders. Ideas about the necessity and utility of work were reflected in contemporary literature, such as the romance

⁴ This is based on much recent writing on the period, for example R. H. Britnell, *The Commercialisation of English Society, 1000–1500* (Cambridge, 1993); *A Commercialising Economy: England 1086–c. 1300*, ed. R. H. Britnell and B. M. S. Campbell (Manchester, 1995).

Havelock the Dane, which in c. 1300 was stating that 'it is no shame for to swink' in order to obtain food and drink.⁵

Into this active world of labour the changes of the late fourteenth century brought new problems. The work force was already shrinking before 1348, according to the declining number of males over twelve contributing to head money payments on Essex manors, and judging from the widespread tendency for wages, both in cash and kind, to rise in the 1330s and 1340s. In 1348–9 the population was halved, and recovery was short-lived because of underlying trends begun earlier in the century, subsequent plague epidemics, and a probable fall in the birth rate. In many villages the numbers working for wages fell more than did the population as a whole, as cottagers and smallholders moved away, or were able to accumulate more land and therefore ceased to be dependent on employment by others.⁶

The amount of work diminished to a much smaller degree. Some cultivated land was converted to grass, and some holdings were abandoned, but overall agricultural production, both on lords' demesnes and on peasant holdings, was maintained at a high level: hence in the long term (after 1375) the abundance and consequent cheapness of grain. Before the plague a high proportion of grain was used to make bread and pottage. In the late fourteenth century people consumed at least as much bread per capita as before, preferably baked from wheat flour; they also drank much more ale and demanded more meat. Consequently the proportion of arable under barley increased, as did the cultivation of crops such as beans and peas which were fed to animals.⁷ Some labour-intensive industries, such as the manufacture of

⁵ S. G. Ovitt, 'The Cultural Context of Western Technology: Early Christian Attitudes towards Manual Labour', *Technology and Culture* 27 (1986), 471–500, reprinted in *The Work of Work: Servitude, Slavery and Labor in Medieval England*, ed. A. J. Frantzen and D. Moffat (Glasgow, 1994), pp. 71–94; J. Le Goff, 'Le travail dans les systèmes de valeur de l'Occident médiéval', in *Le travail au moyen âge*, ed. J. Hamesse and C. Muraille-Samaran (Louvain la Neuve, 1990), pp. 7–21; P. Freedman, *Images of the Medieval Peasant* (Stanford, CA, 1999), pp. 24–33. For a divergent view, see B. E. M. van den Hoven, *Work in Ancient and Medieval Thought* (Leiden, 1996), pp. 245–55. For Havelock, see *Middle English Verse Romances*, ed. D. B. Sands (Exeter, 1986), p. 79.

⁶ L. R. Poos, 'The Rural Population of Essex in the Later Middle Ages', *Economic History Review* 2nd s. 38 (1985), 515–30; D. L. Farmer, 'Prices and Wages', in *The Agrarian History of England and Wales II: 1042–1350*, ed. H. E. Hallam (Cambridge, 1988), pp. 716–817 (pp. 774–9); C. Dyer, 'Changes in Diet in the Late Middle Ages: The Case of Harvest Workers', *Agricultural History Review* 36 (1988), 21–37 (pp. 31–2); R. M. Smith, 'Human Resources', in *The Countryside of Medieval England*, ed. G. Astill and A. Grant (Oxford, 1988), pp. 188–212 (pp. 208–11). The social and economic consequences of the plague are discussed in C. Platt, *King Death* (London, 1996), and J. Bolton, "'The World Upside Down': Plague as an Agent of Economic and Social Change", in *The Black Death in England*, ed. W. M. Ormrod and P. G. Lindley (Stamford, 1996), pp. 17–78.

⁷ B. M. S. Campbell, 'Matching Supply to Demand: Crop Production and Disposal by English Demesnes in the Century after the Black Death', *Journal of Economic History* 57 (1997), 827–58; Dyer, 'Changes in Diet', pp. 21–37.

woollen cloth, expanded. The towns, though hard hit by the plague, attracted migrants and were experiencing a period of prosperity at the end of the fourteenth century. Towns such as Colchester and Coventry were actually more populous in 1400 than they had been in 1300.⁸

With a high demand for labour and reduced numbers of hands, employers had problems in recruiting and keeping workers, and had to pay higher wages. The whole issue of work and employment suddenly provoked a great deal of comment from contemporaries, which has come down to us in literature and sermons. The controversial labour legislation also generated a great quantity of documents in court records, and the poll taxes, themselves partly a response to the new wealth of the labourers and servants, contain much information about wage-earners. Without the same commotion, labour services were coming to an end on lords' demesnes. They had been phased out on many manors before 1348, and after a short-term revival, particularly in Kent, many lords gave them up and made permanent agreements with tenants that would ensure that cash rents became the main obligation of peasants to lords. Patterns of employment were changing in every sector as workers demanded greater flexibility in contracts as well as higher pay. The labour force was becoming more mobile, moving from one employer to another, from place to place, and from country to town and back again.⁹ We know more about work in the half-century after the Black Death than in any other part of the Middle Ages. This gives us an ideal opportunity to investigate the work ethic.

Employers' attitudes to work

We can easily demonstrate that employers advocated labour discipline, fixed working hours and regular contracts, because a wide range of sources depict them demanding that workers observe norms and rules. The labour laws had been brought in to defend the employers' interests. Wage-earners, if offered a contract to work for a year, were required to accept the bargain. They were often brought before the courts because they expressed a preference for a shorter period of employment, even by the day, because that gave them more money and greater freedom of choice. The labour laws also required the worker to accept a reasonable wage, which was defined as the rates of pay

⁸ C. Phythian-Adams, 'Urban Decay in Late Medieval England', in *Towns in Societies*, ed. P. Abrams and E. A. Wrigley (Cambridge, 1978), pp. 159–85; A. Dyer, *Decline and Growth in English Towns 1400–1640* (Basingstoke, 1991), pp. 20–4, 28, 31.

⁹ N. Ritchie, 'Labour Conditions in Essex in the Reign of Richard II', in *Essays in Economic History*, ed. E. M. Carus-Wilson, 3 vols. (London, 1954–62), II, 91–111; M. Mate, 'Labour and Labour Services on the Estates of Canterbury Cathedral Priory in the Fourteenth Century', *Southern History* 7 (1985), 55–67; C. Dyer, *Everyday Life in Medieval England* (London, 1994), pp. 167–89.

prevailing in the years immediately before the outbreak of plague. Beggars who were capable of work were compelled to accept employment, and it was forbidden to give alms to such idle potential workers.¹⁰ For a decade after the Black Death special courts were held by justices of labourers and thousands of workers were fined, most commonly for demanding and receiving excessive wages or for refusing employment. After 1360, indeed until the end of the fourteenth century and beyond, the enforcement continued with diminishing energy under the justices of the peace.¹¹ Historians debate whether wage rates were actually changed significantly by all of this judicial activity, especially in the 1350s and 1360s when rates rose less steeply than might be expected. But the laws certainly had their impact on a high proportion of the workers, as many of them lost money in fines. They may even have led officials who were drawing up accounts to stop recording wage rates so clearly because they were conscious that they were breaking the law.¹²

Government was becoming increasingly involved in attempts to regulate social behaviour at this time, and new legislation dealt with the unsuitable use of leisure, such as the restriction on tennis, football, quoits, dice and skittles in 1388.¹³ The sumptuary law of 1363 tackled another aspect of the deterioration of society, as seen by the elite groups represented in parliament, by noting the excessive consumption of goods and especially textiles by the lower orders, and attempting to lay down the precise price and quality of cloth to be worn by agricultural workers. The wearing of clothes previously affordable only by superiors was seen as a threat to the social order, and increased demand from newly wealthy consumers was thought to be contributing to the rising prices of manufactured goods. It should be said that these statutes had very limited effects in the real world, because of the impossibility of enforcement, and indeed the 1363 statute was withdrawn after a year.¹⁴

Changes in the economy and society were rarely brought about by official

¹⁰ *English Economic History: Select Documents*, ed. A. E. Bland, P. A. Brown and R. H. Tawney (London, 1920), pp. 164–6; *Statutes of the Realm*, 11 vols. (London, 1810–28), I, 311–13.

¹¹ B. H. Putnam, *The Enforcement of the Statute of Labourers*, Columbia University Studies in History, Economics and Public Law 32 (New York, 1908); E. Clark, 'Medieval Labor Law and English Local Courts', *American Journal of Legal History* 27 (1983), 330–53.

¹² J. Hatcher, 'England in the Aftermath of the Black Death', *Past and Present* 144 (1994), 3–35.

¹³ *Statutes of the Realm*, II, 57; discussed in C. Dyer, 'Leisure among the Peasantry in the Later Middle Ages', in *Il Tempo Libero. Economia e Società*, secc. XIII–XVIII, Istituto Internazionale di Storia Economica F. Datini 26 (Prato, 1995), pp. 291–306 (pp. 299–302).

¹⁴ C. Dyer, *Standards of Living in the Later Middle Ages, c. 1200–1520*, revised edn (Cambridge, 1998), pp. 88–9.

action, but the legislation is valuable for revealing shifting prejudices of those who framed the laws, and are ideal sources for exploring ideas such as the 'work ethic'. The poll taxes show that elite attitudes could have a practical effect. The existing tax system of the subsidies, the tenths and fifteenths, which had originally been levied on goods and especially livestock, tended to fall most heavily on the better-off peasants, who also provided the aristocracy with most of their rent income. Government and parliament searched in the 1370s for new methods of taxation as a supplement to the subsidies, and they found in the poll tax in 1377 a method of tapping the wealth of groups which in their view normally contributed little or nothing to the state, the labourers and servants. Now at last, those in authority imagined, these people who demanded and received high wages would be forced to hand over some of their inflated earnings. 'Real' paupers would be exempt, an application of the notion that only a section of the poor really deserved to be helped. As in other pieces of potentially divisive government action, the implementation of the tax depended on local officials who interpreted the rules in their own fashion and moderated their harsher effects. They allowed servants (especially young females) in the later poll taxes in 1379 and 1381 to drop out of the assessments, though labourers (that is, smallholders or cottagers who worked for wages to supplement the produce of a few acres or a small plot) were generally included.¹⁵

Some of the ideas current among educated people which helped to create the new climate of opinion can also be observed in literature, such as John Gower's well-known litany of complaints that workers demanded excessive rewards in cash and kind. He also criticized peasants' and workers' tendency to consume luxuries, and their presumption in failing to observe the conventional disciplines of employment. He used the metaphor of domestic animals, such as oxen and donkeys, which refused to be yoked and harnessed, expected to be fed with the finest hay, and demanded to be equipped with jewelled harnesses.¹⁶ The same ideas are expressed with more subtle irony by Geoffrey Chaucer, in the 'General Prologue' to the *Canterbury Tales*, whose Plowman works without pay to help his poor neighbours. This model peasant was willing to do an honest day's toil, including such heavy and unpleasant jobs as muck-spreading and ditching, which no doubt provoked amused disbelief among the fourteenth-century readers and listeners. Chaucer's imagined band of pilgrims travelling to Canterbury included a group of urban artisans, such as a carpenter and dyer, who displayed their wealth in high-quality clothes and dress accessories. They and their wives enjoyed showing off their importance at their fraternity feasts.¹⁷

¹⁵ *The Poll Taxes of 1377, 1379 and 1381: Part 1, Bedfordshire-Leicestershire*, ed. C. C. Fenwick, *Records of Social and Economic History* n.s. 27 (Oxford, 1998), pp. xiii-xxvi.

¹⁶ J. Gower, *The Major Latin Works of John Gower*, ed. E. W. Stockton (Seattle, 1962), pp. 49-75.

¹⁷ G. Chaucer, *The Riverside Chaucer*, ed. L. D. Benson (Oxford, 1987), pp. 32, 29.

The most lively and detailed account of work and its social meaning comes from *Piers Plowman*. The poet's criticism of employees who ask for better rewards, including superior food and drink, and of those who refuse work, are part of the conventional stock of comments on this subject. A unique depiction of work comes in the section when the honest Plowman prepares to cultivate his half-acre. Piers, typifying peasant qualities, makes a contract with a knight in which he accepts that it is his duty to produce food for the benefit of the whole of society in exchange for the aristocracy's maintenance of law and order. Piers, taking command of his proper sphere of production, assigns appropriate tasks to women, such as sewing sacks, and gains the initial co-operation of the landless in doing essential agricultural jobs including ditching and weeding. This blueprint for an harmonious social order is broken because the 'wasters' who are supposed to contribute to the cultivation of the half-acre instead sing songs and refuse to help. Only the threat of hunger, the poet argues, will force them back to work.¹⁸

Piers Plowman seems to assume that peasants accepted the work ethic, but that the wage-earners, who are equated with beggars, marginals and criminals, were incorrigibly lazy and feckless. Piers is responsible and well motivated as the manager of the productive process. At one stage of the poem he seems to be represented as a ploughman employed on a demesne belonging to Truth, an allegorical lordly figure. But in the passage that is crucial for our purpose he is recognizable to historians as a middling peasant. Only a peasant with a holding of about fifteen acres or so would own his own equipment and animals, as Piers clearly does.¹⁹ Just as we can relate Piers to many late fourteenth century peasants who appear in the administrative documents as working their holdings and paying their rents, so we can connect the 'wasters' with those who fell foul of the labour laws, refusing to work and even preferring to spend their time gambling in alehouses. Historians are sometimes tempted to contrast the 'real' world found in their official documents with the fallible images presented for various moral or rhetorical purposes by the authors of literary works. In fact all forms of writing reflect ideas: just as the poet Langland emphasized the reliability of the peasant and the indiscipline of the wasters, so the justices who fined those who broke the law, and their clerks who recorded the offences in the court records, were endorsing prejudices about idle and greedy workers.

¹⁸ W. Langland, *The Vision of Piers Plowman: A Complete Edition of the B-Text*, ed. A. V. Schmidt (London, 1978), Passus VI. See also S. Knight and D. Pearsall in this volume.

¹⁹ C. Dyer, 'Piers Plowman and Plowmen: an Historical Perspective', *Yearbook of Langland Studies* 8 (1994), 155–76.

Peasant attitudes to work

Did peasants embrace the work ethic, as Langland implies? Clearly the notion that peasants generally felt themselves bound by a social contract to work for their lords, like Piers Plowman, cannot be sustained. Manorial records show that the bulk of rents were paid and labour services performed, but with much foot-dragging and bad grace. The many failures to do ploughing or harvesting services, or the slowness and inefficiency with which a reluctant workforce did these jobs, the tendency for rents to be paid in arrears, and the failure of tenants to keep their buildings in repair are ample testimony to a relationship with many tensions.²⁰ The 1381 revolt suggests that a significant number of peasants subscribed to radical ideas of universal freedom and the illegitimacy of private justice or aristocratic privileges which cut at the roots of the theory of the 'three orders'. It was not just that they felt no obligation to work for the benefit of others who, in their view, had lamentably failed to provide military protection or effective prayers: they could not accept that such an unequal contract had ever existed in the first place.²¹

Most peasants' work in the late fourteenth century, however, was carried out on their own holdings, and its primary function was to provide a living for the cultivator's own household. Their work levels were already quite high before the Black Death. Various calculations have been made of the amount of work needed to cultivate a holding, and one plausible estimate has been fourteen days per annum for each acre.²² Our middling peasant with fifteen acres would need 210 days, which is feasible for one person given a working year (allowing for saints' days, Sundays and days of bad weather) of about 250 days. Of course, the tasks would not have been spread evenly through the seasons, so even a tenant with fifteen acres would have needed extra help at harvest, using hired labour if there was a lack of family members to help.

Peasants were probably working more days, and working harder, in the late fourteenth century in comparison with the previous generation. Holdings were becoming larger with the availability of more cheap land, so a growing number of tenants held twenty acres or more, and therefore required the labour of more than one man. The labour of children was in short supply as family sizes declined in the peculiar demographic circum-

²⁰ R. H. Hilton, *The English Peasantry in the Later Middle Ages* (Oxford, 1975), pp. 60–9; D. Stone, 'The Productivity of Hired and Customary Labour: Evidence from Wisbech Barton in the Fourteenth Century', *Economic History Review* 2nd s. 50 (1997), 648–56; P. Hargreaves, 'Seigniorial Reaction and Peasant Responses: Worcester Priory and its Peasants after the Black Death', *Midland History* 24 (1999), 53–78.

²¹ R. H. Hilton, *Bondsmen Made Free* (London, 1973), pp. 223–30.

²² H. Fox, 'Exploitation of the Landless by Lords and Tenants', in *Medieval Society and the Manor Court*, ed. Z. Razi and R. Smith (Oxford, 1996), pp. 518–68 (p. 545).

stances of high mortality and reduced numbers of births. Peasant children as they grew up were likely to move away from home to find employment or land.²³ Women had traditionally helped with the harvest, and played an important role in looking after animals. After 1350 women were drawn into helping with heavier field work, but in many households they had their own profitable activities, notably brewing the ale for which demand was increasing, and in many regions expanded their participation in clothmaking, above all by spinning yarn.²⁴ It is true that the intensity of agricultural work could be reduced by ploughing the land less often, leaving more land fallow, or turning some of the arable over to permanent grass.²⁵ These measures, however, do not seem to have been adopted very rapidly, so that a high proportion of holdings in the traditional arable areas were still devoted to grain production, which meant that there was a continued demand for all the labour necessary for preparing the soil, weeding, harvesting and threshing. The increased numbers of animals kept by peasants – flocks of a hundred sheep were by no means uncommon – also meant that a higher proportion of time went to the care of livestock. Those with smaller holdings were not idle either, as they expended greater effort than those with larger holdings on the cultivation of each acre, and were often involved in other productive activities. In Essex, for example, the weavers, tailors, carpenters and other craft workers listed in the poll tax accounts of 1381 are found from other documents to have held just under seven acres of land on average.²⁶ At planting and harvest they suspended their work as artisans; in the slacker periods of the farming year they returned to their crafts.

The idea that peasants had time to spare and lacked a strong sense of work discipline does not seem to accord with these estimates of the work inputs on peasant holdings. In addition, there are many other indications of peasant attitudes that are compatible with the formation of a work ethic. Contrary to the usual stereotype, peasants had some notion of measuring time: in by-laws enacted in manorial courts we find that gathering green peas and beans was

²³ J. A. Tuck, E. Miller, R. H. Britnell, E. King, C. C. Dyer, D. H. Owen, P. D. A. Harvey, M. Mate and H. S. A. Fox, 'Tenant Farming and Tenant Farmers', in *The Agrarian History of England and Wales, III: 1348–1500*, ed. E. Miller (Cambridge, 1991), pp. 587–743 (pp. 601, 624–5, 636–8, 662–4, 723–5); Z. Razi, *Life, Marriage and Death in a Medieval Parish: Economy, Society and Demography in Halesowen 1270–1400* (Cambridge, 1980), pp. 139–44; Z. Razi, 'The Myth of the Immutable English Family', *Past and Present* 140 (1993), 3–44 (pp. 22–4).

²⁴ M. Mate, *Women in Medieval English Society* (Cambridge, 1999), pp. 28–9, 40–1, 47–8. Mate plays down the evidence for widening opportunities for women at this time, but the sources that she cites tend to take a more optimistic view.

²⁵ A. J. Tuck *et al.* (as note 23), 'The Occupation of the Land', in *Agrarian History, III*, ed. Miller, pp. 34–174 (pp. 41–2, 82–3); A. J. Tuck *et al.* (as note 23), 'Farming Practice and Techniques', in *Agrarian History, III*, ed. Miller, pp. 175–323 (pp. 225, 268–9).

²⁶ L. R. Poos, *A Rural Society after the Black Death: Essex 1350–1525* (Cambridge, 1991), pp. 25–7.

supposed to end at 'prime', as for example at Great Horwood in Buckinghamshire in 1368. In the following century, clock hours were used to impose village curfews, such as that at Elmley Castle in Worcestershire in 1451, where everyone was ordered to go to bed by 9.00 pm; this system became possible as clocks spread in rural church towers.²⁷ The efforts by the church authorities, sometimes reinforced in the manor courts, to prevent work on feast days suggests that some peasants felt pressure to work beyond the time allotted by convention.²⁸

Peasant life cycles observed a pattern of preparation in youth, epitomized by the description of young people in the poll taxes as 'son and servant' and 'daughter and servant', and by the practice of employing neighbours' adolescent children. In service, young people acquired the wide range of practical skills required to run a peasant holding and household.²⁹ Peasants often took on the responsibility of a holding in their twenties, but later in life as their energies declined they expected to be able to retire, receiving from their successors, either relatives or newcomers, accommodation on the holding and an allowance of food, goods and cash, or perhaps the continued use of a few acres and a garden.³⁰ Clearly peasants had some notion of a working life which began with a period of training and ended with retirement from full-time labour. During their working lives peasants enjoyed periods of leisure, but this was often purposeful, as in the case of the ales organized by the churchwardens to pay for the fabric and fittings of the parish church, which also served to bring the community together and strengthen their sense of common purpose.³¹

The better-off peasants had expressed a concern for labour discipline among their employees long before the Black Death. By-laws were announced and enforced in many villages across lowland England in the late thirteenth and early fourteenth centuries, ordering labourers to accept employment in the harvest at a fixed rate, often a penny a day with food, and forbidding them to glean the ears of corn that were left in the field after the corn had been carried, an activity which was supposed to be confined to the genuine poor. For example, at Newton Longville in Buckinghamshire in 1290 the by-laws stated that if anyone wished to hire a worker in the harvest time with an offer of a daily wage of a penny with food or twopence without, the potential employee could not glean. The implication was that gleaning should be left to the old and disabled. There is an occasional reference

²⁷ W. O. Ault, *Open-Field Farming in Medieval England* (London, 1972), pp. 105, 129.

²⁸ Ault, *Open-Field Farming*, p. 107.

²⁹ Hilton, *English Peasantry*, 27–36; Poos, *Rural Society*, pp. 183–206.

³⁰ R. M. Smith, 'The Manorial Court and the Elderly Tenant in Late Medieval England', in *Life, Death and the Elderly*, ed. M. Pelling and R. M. Smith (London, 1991), pp. 39–61.

³¹ The detailed evidence for church ales comes from the fifteenth century: see, e.g., B. Kumin, *The Shaping of a Community: The Rise and Reformation of the English Parish c. 1400–1560* (Aldershot, 1996).

elsewhere to a prohibition on workers leaving the village to seek employment, and there was a general suspicion of strangers coming into the village to glean.³² This legislation must have developed during the thirteenth century and then spread from place to place as every village experienced common problems of securing labour. The effectiveness of the local legislation would gain from solidarity among neighbouring communities, which all agreed to fix wages at the same rather low rate.

These local laws were re-enacted after 1349, including the same (by then totally unrealistic) pay, and their repetition both before and after the plague points to their ineffectiveness in controlling the labour market. But after 1349 national legislation, with much stronger judicial teeth, was also in force. The striking feature of the Ordinance and Statute of Labourers of 1349 and 1351 is that many of their principles were anticipated by the by-laws which had been in force in some villages for more than sixty years. The fixed rate of pay, the compulsion to accept employment, the discrimination in charity towards the 'deserving poor' as distinct from the able-bodied idlers are found in both the manor court regulations already quoted and in the government legislation. No doubt the lords' stewards who presided over the manorial courts used their legal training in framing the by-laws, but they were not just aiming to secure labour for the lords' demesnes. The by-laws' main intended beneficiaries were the peasant employers, who would have been able to take the initiative as pledges and jurors in the courts in proposing legislation, and who enforced the rules, often by serving on panels of 'wardens of the autumn' who reported wrongdoers to the court.³³

After 1349 the same peasant employers must have been involved in some degree in the implementation of the new laws. They were encouraged to inform on their neighbours by a financial incentive: the fines collected from those receiving excessive wages were to be used to pay the village's contribution to the king's taxes. But they also had a direct interest in controlling labourers. Many of the offenders were reported to the courts as working on relatively short-term jobs appropriate to peasant holdings, for a few days or weeks, often in the peak activities of harvest or hay making. The many building workers, such as thatchers, who came before the courts were also involved in small-scale work, presumably on peasant houses and barns. The precise circumstances of these informal, verbal arrangements would have been known only within the intimate circumstances of village society. Indeed, the most likely source of the complaints must have been the peasant employers themselves.³⁴

William Langland had his own perspective on peasants: he idealized his

³² Ault, *Open-Field Farming*, pp. 27–34, 82–3.

³³ Ault, *Open-Field Farming*, pp. 165, 168.

³⁴ L. Poos, 'The Social Context of Statute of Labourers Enforcement', *Law and History Review* 1 (1983), 27–52.

central peasant spokesman, Piers Plowman; he emphasized his deference towards the aristocracy, and ascribed to him an intense and articulate religious consciousness. These attitudes and sensibilities are unlikely to have been widespread among the peasantry of the period. On the other hand, other sources suggest that Piers Plowman's diligence in cultivating the half-acre, and his sense of responsibility to his family, were not confined to poetry, but are found among peasants generally. The records of the manorial courts and in the royal courts after 1349 show that Piers' despair at the feckless behaviour of wage-earners, and even his request that the knight exercise discipline over them, extended beyond Langland's fiction. We know that in later centuries the elites in local communities cooperated with higher authorities in attempts to control the anti-social behaviour of the lower orders in such matters as gossip, eavesdropping, scolding, vagabondage, hedge breaking and sexual morality. It is therefore tempting to see in the attempts to regulate employment in the late fourteenth century an anticipation of the social controls that the early modern 'middling sort' sought to exercise over the poor.³⁵

Wage-earners' attitudes to work

This brings us then to consider whether any sense of a work ethic existed among the smallholding labourers and servants who made up the main wage-earning section of society, or even the vagrants and other marginals who occasionally sought employment. All of the sources that we have considered, both poetic and administrative, invite us to say that these people lacked a commitment to work, and avoided regular or long-term employment. They combined laziness with greed, and so worked as little as possible for the shortest time. This view is supported by economists and economic historians in our own day, who put forward a number of explanations for the absence of a work ethic among these people.³⁶ They can point to the lowly status of wage-earners in a society in which access to land or some small amount of property was all-important. Those who relied on wages for their living, it is said, had low levels of self-esteem, and therefore had very limited expectations of the rewards that they could receive. It is supposed that they worked in order to secure the necessities of life, mainly basic foodstuffs, and then ceased an activity that they regarded as tedious and degrading. They were evidently willing to accept their inferior position in the social hierarchy.

³⁵ M. K. McIntosh, *Controlling Misbehavior in England, 1370–1600* (Cambridge, 1998).

³⁶ I. S. W. Blanchard, 'Introduction', in *Labour and Leisure in Historical Perspective: Thirteenth to Twentieth Centuries*, ed. I. S. W. Blanchard (Stuttgart, 1994), pp. 9–38; J. Hatcher, 'Labour, Leisure and Economic Thought before the Nineteenth Century', *Past and Present* 160 (1998), 64–115.

If workers received more pay in a time of labour scarcity, they earned as much as they needed in a shorter time, and then stopped work. A labourer in the period before the Black Death searched for 250 days of work in the year in order to gain a living for himself and his family, but did not always find enough, and the earnings of wife and children made a vital contribution to household income. His successor could by the 1380s have fed his family in about 150 days of employment.³⁷ The labourers, it is said, had no economic incentive to increase their earnings before the advent of a modern 'consumer society'. Their needs were basic, and the economy was simply not sophisticated enough to provide them with desirable goods which might have spurred them into greater effort. There were no means of saving money, so there was no point in accumulating earnings. Instead they could enjoy leisure, and so took time off at every opportunity, drank ale and played games. Their better bargaining position in the labour market and their increased earnings gave them the choice whether to work or not, or which type of work to accept. This of course added to the employers' problems, as a reduced labour force working for a smaller number of days made the shortage even more acute.

This view of the labourers' attitudes and behaviour cannot be fully supported. It supposes a rigid social hierarchy and a lowly and miserable social group unable to contemplate improvement in their conditions. Much of the wage-work was done by smallholding peasants who were not separated by a great gulf from their neighbours who held larger amounts of land. There is little evidence for a sharp distinction between employers and employees, given that many better-off peasants had begun their working lives as servants and their children would often be engaged in service. Tenants with twenty or thirty acres were not averse to picking up some extra cash by occasional wage-earning, for example by haulage work with their horses and carts. There were inevitable frictions within village society between those who earned wages and those who paid them, and a degree of exploitation of landless workers, especially in the conditions of low wages before the Black Death, but the upper and lower ranks were not set at poles apart.³⁸

The notion that the lower ranks of village society accepted their place within the hierarchy was not shared by the legislators of 1363, who specifically identified servants in husbandry as attempting to live above their station. The great complaint after the Black Death was that the hierarchy was breaking down: that 'marchandes of pris' would live like peddlars, and lords like 'lads', according to the anonymous author of *Winner and Waster*.³⁹ In more practical terms, we can observe in our manorial records smallholders advancing themselves by acquiring land, and even moving out of the category of those who earned wages. Contrary to the view that wage-earners

³⁷ Dyer, *Standards of Living*, p. 226; Penn and Dyer, 'Wages and Earnings', pp. 186–9.

³⁸ Fox, 'Exploitation of the Landless', pp. 518–68; Hilton, *English Peasantry*, pp. 51–3.

³⁹ *Wynnere and Wastoure*, ed. S. Trigg, EETS OS 297 (London, 1990), p. 13.

had no opportunity to spend their money, savings could be used to pay entry fines or the purchase price of land, and to buy the livestock and equipment to work it. For example, in Essex James atte Ford of Takeley, who was fined in 1378 for taking excessive wages, two years later paid an entry fine of £1 13s. 4d. to take a holding of $18\frac{3}{4}$ acres, and no doubt paid at least as much to the tenant selling the land.⁴⁰

Did labourers have limited consumption ambitions, easily realized by acquiring each week a few more loaves of bread and gallons of ale? The living standards of wage-earners before 1349 gave plenty of room for improvement: many of them could afford only small quantities of ale or meat, and depending on their region, often ate bread baked from inferior grains such as rye, barley and oats. The consumption patterns of these people went through a dramatic change in the late fourteenth century, which continued after 1400. Wheat bread was more commonly eaten, together with regular quantities of ale and much greater amounts of meat.⁴¹ The choice of these foodstuffs tells us not just about the material well-being of the workers, but also about their social attitudes as consumers, as white bread, a daily gallon of ale, and ample quantities of meat and fish were the distinguishing characteristics of the aristocratic diet. There is little sign here of lowly consumers content with their place in the hierarchy; rather we can observe the emulation of social superiors, which is often regarded as one of the mainsprings of a 'consumer society'.

Consumption of goods other than food and drink played an important part in motivating work. The notion that a 'consumer revolution' was confined to the modern period and specifically to the eighteenth century ignores the substantial indications of increased per capita consumption in the late fourteenth and fifteenth centuries. Much of the evidence relates to peasants, who were rebuilding their houses, adopting new styles of dress, and acquiring a wider range of manufactured goods. But these new patterns of expenditure were unlikely to have been confined to peasants. The increased manufacture of cloth is best known through the rise in exports, but the basis for that growth was provided by an expanding home market which absorbed a high proportion of the textiles made in England. The fortunes of the market towns provide the best indication of the levels of internal trade in the period, and particularly the commercial activities of the smaller consumers. Aristocratic consumers bought goods occasionally in small towns such as Walsall in Staffordshire or Warminster in Wiltshire, but these places depended mainly on the regular flow of mundane trade from numerous consumers with simple needs who lived within a seven-mile radius. The traders and artisans who lived in the small towns accordingly dealt in clothing, shoes, harness, ironmongery such as horseshoes and knives, and other everyday manufac-

⁴⁰ Dyer, *Everyday Life*, pp. 198, 213–14.

⁴¹ Dyer, 'Changes in Diet', pp. 21–37.

tured and traded goods in widespread use. These small trading communities usually lost part of their population at this time, but not usually in excess of the general demographic decline. The network of commercial centres often survived the shock of the epidemics, and some of them participated in the modest boom that towns enjoyed towards the end of the fourteenth century.⁴²

Now it could be said that this indirect evidence for relatively high levels of consumption reflects expenditure among thriving peasants, and artisans who were prospering both in town and country. It would however be perverse to exclude from late medieval consumerism the wage-earners whose potential for increased spending is so well documented in their rates of pay. Among the new houses which were being built in Kent and the Midlands during the 1380s and 1390s, years which mark the beginning of a housing boom that reached its peak in the late fifteenth century, small houses and cottages appropriate for wage-earners were included, and some of these in the countryside would have been paid for by the tenants themselves.⁴³ Cheap dress accessories – small metal buckles, brooches, strap ends and decorative mounts – which urban workshops were learning to produce in quantity as cheaply as possible, were aimed at a large consumer market which is likely to have included wage-earners.⁴⁴ The final point that must be made is that if contemporaries were correct in their complaints that wage-earners spent too much time in ale houses and in games of chance, these were expensive habits, and financing these pastimes would have stimulated the drinkers and gamblers to increase their earnings.

This consideration of the behaviour of late fourteenth century wage-earners must lead us to question the tendency for commentators in both the fourteenth and the twentieth centuries to dismiss them all as 'wasters'. A high proportion of them aimed to improve the quantity and quality of their diet, but some of them also aspired, along with the peasants and artisans, to acquire better housing, clothing and possessions. The improvement was measured at least in part by standards set by the social elite, and the desire to improve material conditions was influenced by emulation. There were new consumer goods for them to buy, such as a wider range of pottery and fashionable styles of dress. For a minority the social mobility of the period offered opportunities for advancement, and it was worth their while to work hard in order to accumulate land. The post-plague generations were not fixed in static hierarchies and traditional styles of life, but lived in one of the most dynamic periods in our economic and social history.

This interpretation of the period, in making much of the desire for material

⁴² Dyer, *Everyday Life*, pp. 257–81; C. Dyer, 'Medieval Stratford : A Successful Small Town', in *The History of an English Borough: Stratford-upon-Avon, 1196–1996*, ed. R. Bearman (Stroud, 1997), pp. 43–61 (pp. 55–9).

⁴³ Dyer, *Standards of Living*, pp. 302–3, and the sources cited there.

⁴⁴ G. Egan and F. Pritchard, *Medieval Finds from Excavations in London, III: Dress Accessories c. 1150–c. 1450* (London, 1991), pp. ix, 260–3.

well-being and social advancement, perhaps puts too much emphasis on individuals. Medieval wage-earners had some involvement in collective activities, and part of their earnings would have gone into helping to pay for community projects such as church buildings and furnishings, and into the funds of local fraternities. The local elites dominated parish and fraternity life, leaving the wage-earners to attend the church ales and watch the ceremonies arranged by the fraternities. Those bent on improving their rank in the hierarchy could hope to pay entrance fees to a fraternity (3s. 4d. or 6s. 8d. would often have been the sum, or two to four weeks' earnings for a skilled craftsman), which would help at least a few individuals to demonstrate their enhanced status.⁴⁵

If there is some validity in the argument advanced here – that there were elements of a work ethic to be identified among late fourteenth century wage-earners – then this contradicts not only the gloomy predictions of modern economists, but also a good deal of contemporary comment. The complaints of the employing classes accurately reflects their perceptions, coloured by their own interests and experiences. They would be affronted by refusals to work and demands for higher wages, and would accuse workers of idleness and greed. But we should not accept their comments as objective descriptions of social trends. They complained bitterly about beggars and vagrants, yet our assessment must be that abject poverty was reduced after the plagues. They believed that mendicant clergy (who were thought to make begging socially acceptable) were very numerous, again a perception which is not supported by more objective evidence. We are cautious in accepting complaints in our own day about social security 'scroungers' and lazy and incompetent teachers, believing that they tell us as much about the commentators as the objects of their criticisms, and we should apply the same scepticism to medieval social prejudices.

Recent research supports the view that medieval workers maximized their earnings, rather than opting for leisure. Women were an important section of the work force in both town and country before the plagues, and their participation seems to have increased after 1349. They are found actively engaged in their traditional occupations in food preparation, retailing and textile manufacture, and extended their activities into crafts not normally regarded as appropriate for women. They also showed more independence by pursuing occupations different from those of their husbands. They took on more prominent roles as widows by running their former husbands' work-

⁴⁵ See above, note 31, for the late evidence for church ales. The fraternities likewise tend to be fully documented after 1400, but they certainly existed in the late fourteenth century. A good example of a wage-earner joining a fraternity is Simon Grove, a carpenter, who in 1408-9 paid his entry fee to the Holy Cross Guild at Stratford upon Avon by carrying out building work for the guild: *The Register of the Gild of the Holy Cross . . . of Stratford-upon-Avon*, ed. J. H. Bloom (London, 1907), p. 12.

shops, which they were able to do because while their husbands had been alive they were fully involved in the business.⁴⁶ Examples of the range and intensity of women's work include Margery Spuret of York, who was said in 1394 to be gaining her own livelihood from service in the household of a saddler, and spent a month each year away from the city in harvest work, and Juliana del Green, who in the same year was described 'following the craft of saddler with her husband', but also worked as a 'kemster' (wool comber).⁴⁷ Men as well as women often followed more than one occupation, thereby seeking to avoid the effects of slumps and variations in seasonal demand, and again making the maximum possible income.⁴⁸ Moving from job to job was another strategy to raise the level of earnings. When Margery Spuret left York to work in the harvest in the East Riding she could have been accused of living as a vagabond – but in her month in the harvest field she would have earned double her normal wage.

Finally, medieval employment arrangements encouraged workers to commit themselves. Many of the payments that we treat as wages are really 'a price for the job' negotiated between the employer and a contractor who was himself employing assistants.⁴⁹ When David le Walshman was paid 20s. to work on a mill, probably digging the mill pool, at Halesowen in Worcestershire in 1362, he and his team would work hard to gain the money in the smallest number of days, and then move on to the next job.⁵⁰ Such contracts were used more frequently after the Black Death. And there are hints of the extra effort required of more conventionally hired workers when we note that manorial managers expected their hired servants to do more work for their increased pay: a shepherd on the estates of the bishopric of Winchester, for example, would look after a flock of 340 sheep in the 1380s, compared with 300 before the plague.⁵¹ Throughout rural society the number of acres of land per worker increased, and even if it was not as carefully cultivated as in the past, the productivity of agricultural labour, that is the output per capita, must have risen considerably. High productivity among individuals, the result of hard work and long hours rather than any major technological innovations, must explain the remarkable achievement of some industries. Cornish tin mining, for

⁴⁶ P. J. P. Goldberg, *Women, Work and Life Cycle in a Medieval Economy: Women in York and Yorkshire, c. 1300–1520* (Oxford, 1992), pp. 82–157; Mate, *Women in Medieval English Society*, pp. 27–56.

⁴⁷ *Women in England c. 1275–1525*, ed. and trans. P. J. P. Goldberg (Manchester, 1995), pp. 103–7.

⁴⁸ H. Swanson, *Medieval Artisans* (Oxford, 1989), pp. 25, 92.

⁴⁹ D. Woodward, *Men at Work: Labourers and Building Craftsmen in the Towns of Northern England, 1450–1750* (Cambridge, 1995), pp. 35–40.

⁵⁰ Birmingham, Birmingham Reference Library 347130.

⁵¹ D. Farmer, 'The Famuli in the Later Middle Ages', in *Progress and Problems in Medieval England: Essays in Honour of Edward Miller*, ed. R. Britnell and J. Hatcher (Cambridge, 1996), pp. 207–36 (p. 221).

example, produced almost as many tons of the metal in the 1380s and 1390s as at the beginning of the century, in spite of the acute labour shortage in the stanneries.⁵²

Conclusion

This study has attempted to make generalizations about human behaviour and attitudes at a time when a very complex society was undergoing rapid change. We cannot claim that medieval workers were indistinguishable from their modern counterparts. There was no universal or dominant work ethic in the late fourteenth century, but rather a range of attitudes which included the plural 'work ethics' in the title of this study. While some peasants and wage-earners worked hard in order to consume and to advance themselves, others were not strongly motivated by the new impulses of the age. To some extent they were still inhibited by institutional restrictions. Serfdom may have been in decline, but even in 1400 we can occasionally find important tasks on lords' demesnes such as the harvest being carried out by labour services. Forced labour was being introduced by new means. Lords would occasionally create a new type of servile contract (a 'second serfdom') by renting a cottage to a landless tenant on condition that he work for his lord for 'reasonable' (that is, low) pay.⁵³ Lords were still finding farm servants, like the 499 *famuli* employed on the bishop of Winchester's estates in 1381–2, who were willing, presumably for the sake of job security, to commit themselves for a whole year at relatively low levels of pay in cash and kind.⁵⁴ As lords gave up direct production by leasing their demesnes to farmers, and a wealthy minority of peasants accumulated a number of once separate holdings of land, these managers of larger units of landholding must have been developing new employment arrangements with their workers. These are largely undocumented, but we can see their outward signs in the cottage holdings absorbed into large multiple tenements, and then sublet to workers. For example, in the Devon village of Stokenham in 1390, where the average farm contained about forty-five acres, many of the eighty-nine cottages recorded before the plague had been taken over by substantial tenants.⁵⁵ Some of them were uninhabited no doubt, but some were in effect tied cottages, held under conditions which restricted the tenants' choice of employment. In towns the institutions of apprenticeship and annual service contracts continued to provide sources of cheap labour. Women's working

⁵² J. Hatcher, *Rural Economy and Society in the Duchy of Cornwall, 1300–1500* (Cambridge, 1970), pp. 142–3, 288–9.

⁵³ Dyer, *Everyday Life*, pp. 204–5.

⁵⁴ Farmer, 'Famuli', pp. 207–36.

⁵⁵ H. Fox, 'Servants, Cottagers and Tied Cottages during the Later Middle Ages: Towards a Regional Dimension', *Rural History* 6 (1995), 125–54.

opportunities improved after the plague, but with limited rights and a weak bargaining position they still had to accept lower rates of pay.⁵⁶

The labour market was not always as open and beneficial as might at first appear, and some workers lacked strong incentives to exert themselves. On the other hand, those who were able to wander from job to job increased their earnings, and also enjoyed other benefits. The generation after the Black Death were liberated from many restraints previously exercised by lords, families and the authorities in village and town. The new labour shortage gave those at the bottom of society the chance to exercise choice and to reject employers and jobs in the confident expectation that others would materialize. It was that dimension of freedom which they no doubt valued, and which their superiors resented. It leaves us with the attractive picture of people who were not tied to money-grubbing toil, but who enjoyed rejecting work and taking their leisure. Despite these qualifications and reservations, the late fourteenth century provided opportunities and advantages for peasants, artisans, labourers and servants. They had ample incentives to work, and among them attitudes were formed which resemble the 'work ethic' which is often believed to have emerged only in later centuries.

⁵⁶ M. E. Mate, *Daughters, Wives and Widows after the Black Death: Women in Sussex, 1350–1535* (Woodbridge, 1998), pp. 55–8.

‘The Lord Geoffrey had me made’: Lordship and Labour in the Luttrell Psalter

RICHARD K. EMMERSON AND P. J. P. GOLDBERG

The Luttrell Psalter is famed for its striking depictions of peasants labouring contained within a series of *bas-de-page* illuminations within the main body of the manuscript. These have invariably been used uncritically to generate illustrative material for books, particularly history books, written about the fourteenth century or the later Middle Ages more generally. Thus the miller graces the cover of the paperback edition of M. M. Postan’s *The Medieval Economy and Society*, the Luttrell family feasting illustrates Kate Mertes’ *The Medieval Noble Household* (Figure 3.1), a colour reproduction of Sir Geoffrey illustrates simply ‘Knight on horseback’ in the *Medieval Britain* volume of *The Cambridge Cultural History* (Figure 3.3), and the musicians in the margins of fol. 176r represent medieval entertainment in Edith Rickert’s *Chaucer’s World*.¹ Such examples could be repeated many times over, but the implicit reading of these images is that, apart from their being pretty pictures, they are mirrors of medieval life and that the figures so represented are in some ways representations of real life.² This *mentalité* even spills into the work of art

¹ M. M. Postan, *The Medieval Economy and Society: An Economic History of Britain 1100–1500* (Harmondsworth, 1975); K. Mertes, *The English Noble Household, 1250–1600: Good Governance and Politic Rule* (Oxford, 1988); *The Cambridge Cultural History, II: Medieval Britain*, ed. B. Ford (Cambridge, 1992), colour pl. 3; *Chaucer’s World*, ed. E. Rickert (New York, 1962), p. 218.

² In the introduction to his recent *Mirror in Parchment: The Luttrell Psalter and the Making of Medieval England* (Chicago, 1998), Michael Camille details at great length the numerous ways in which scholars, politicians and popular culture have appropriated the images in this lavish manuscript for their own purposes. Despite his title, Camille seeks to undermine the use of the manuscript as a ‘mirror’ reflecting the ‘real’ Middle Ages: ‘We cannot begin to understand the Luttrell Psalter as a regime of signs and an object of medieval self-fashioning unless we get beyond this real/unreal dichotomy and see the manuscript as producing, not reflecting, reality’ (p. 46). Camille’s book appeared after the presentation of the paper on which this essay is based, as we were preparing it for publication. We have thus been unable to make use of its several insights, but we occasionally note the ways in which Camille’s interpretations agree with ours and the ways in which we disagree – often strongly – with his conclusions.

historians, who one might otherwise expect to be more critical in their use of this source. Nevertheless, they regularly state that the manuscript was largely completed before or by 1340 when Agnes Sutton, the wife of Sir Geoffrey Luttrell, for whom the manuscript was made, died, this conclusion being based on the fact that Agnes is shown alive both in the feasting scene and in the depiction of Sir Geoffrey's arming (Figures 3.1, 3.3). Such views even affect Michael Camille's interpretation of the manuscript, as it does Janet Backhouse's picture book, which emphasizes the many ways in which the manuscript's details 'reveal acute observation of real life'.³

This literal reading of the manuscript and its illuminations is unsatisfactory. But the question arises, if the manuscript illuminations are not simple mirrors of a real past, then how are we to understand them and, within the context of this volume of essays, what may we deduce from them about labour in medieval peasant society and the relationship between a lord and his tenants? To address the second, we must have some handle on the first: namely, what was the function of the Luttrell Psalter? Unfortunately this is not a question that has much exercised art historians. Greater interest has been shown in the stylistic relationship of the manuscript to other manuscripts and hence to the question of chronology rather than function.

There is debate among art historians concerning the dating of the manuscript, a debate that rests upon a lack of hard evidence. It is generally agreed that the manuscript, although written throughout by the same scribe, was illustrated by five or more artists working in three phases.⁴ The first phase includes the work of the principal artist (fols. 145r–214v), whom Eric Millar thought possessed a strange imagination and morbid mind.⁵ The illustrations of this section, which Lucy Sandler describes as 'the most perceptive marginal vignettes of medieval daily life',⁶ have made the psalter famous. During the second phase, less talented artists illustrated most of the early quires of the manuscript (fols. 13r–108v). That these first

³ J. Backhouse, *The Luttrell Psalter* (London, 1989), p. 9. See also M. Camille, 'Labouring for the Lord: The Ploughman and the Social Order in The Luttrell Psalter,' *Art History* 10 (1987), 423–54, esp. 441.

⁴ What follows conflates the sometimes conflicting discussions in E. G. Millar, *The Luttrell Psalter* (London, 1932), pp. 16–23; L. F. Sandler, *English Gothic Manuscripts 1285–1385*, A Survey of Manuscripts Illuminated in the British Isles 5, 2 vols. (London, 1986), II, 118–21, cat. no. 107; and Backhouse, *Luttrell Psalter*, pp. 9–14. Camille has recently suggested that six artists were responsible for decorating the manuscript: see *Mirror in Parchment*, pp. 323–7.

⁵ Millar, *Luttrell Psalter*, p. 16. Camille identifies this artist as the fourth hand working during a second decorative campaign, names him the Luttrell Master, and states: 'To my knowledge the work of the highly individualistic main illuminator of the Luttrell Psalter has not been found in any other extant manuscript of the period' (*Mirror in Parchment*, p. 330). Camille argues, furthermore, that the face pictured looking out into the margin on fol. 177v is a self-portrait of the Luttrell Master: see *Mirror in Parchment*, pp. 344–45, fig. 87.

⁶ Sandler, *English Gothic Manuscripts*, II, 120.



Figure 3.1: Sir Geoffrey Luttrell at table. British Library, MS Add. 43120, fol. 208r. (Photograph reproduced by permission of the British Library)



Figure 3.2: The Last Supper. British Library, MS Add. 43120, fol. 90v. (Photograph reproduced by permission of the British Library)

two phases were probably undertaken at the same time is suggested by the fact that, as Sandler has noted, the principal artist of phase one repainted some of the heads of figures pictured on the folios completed during phase two.⁷ During the final phase, undertaken somewhat later, the Calendar (fols. 1r–12v), most of the remaining Psalms (fols. 109r–144v, 215r–259r), the Canticles, the Litany and Collects, and the Office of the Dead (fols. 259v–309v) were decorated by, according to Millar, ‘a cheap and inferior illuminator’.⁸

It has been suggested that the third phase postdates Sir Geoffrey’s death in 1345. Lynda Dennison has strengthened this hypothesis by suggesting that the decoration of the manuscript’s concluding eight quires was ‘completed in a debased version of the Simon de Montacute border style’, which would place it after 1345, the date of the Montacute Psalter. Dennison also notes that the Calendar, decorated in this same style, is related ‘to Cambridge work’.⁹ As has already been noted, the first phase of the production is usually said to have been completed by, or even terminated by, the death of Lady Agnes in 1340. Sandler, however, has suggested a much earlier date for this first phase, locating it in the 1320s by analogy with the Douai Psalter and other related East Anglian manuscripts, and Camille and Backhouse both prefer dates in the early 1330s.¹⁰ This debate is in one sense peripheral to our reading of the depictions of peasants labouring in the fields since either dating relates to a period before the advent of plague, but in another sense it is important because it provides a clue as to the purpose of the Luttrell Psalter. Was it a project of the 1320s or early 1330s that reflects family priorities of that time, not least (as Camille suggests) over the legitimacy of the Luttrell marriage, a project that was then abandoned for lack of interest or perhaps money?¹¹ Or

⁷ Sandler, *English Gothic Manuscripts*, II, 120.

⁸ Millar, *Luttrell Psalter*, p. 23.

⁹ L. Dennison, ‘“The Fitzwarin Psalter and its Allies”: A Reappraisal,’ in *England in the Fourteenth Century: Proceedings of the 1985 Harlaxton Symposium*, ed. W. M. Ormrod (Woodbridge, 1986), pp. 42–63 (p. 59).

¹⁰ See Sandler, *English Gothic Manuscripts*, II, 120; Camille, ‘Labouring for the Lord,’ pp. 440–1; Backhouse, *Luttrell Psalter*, pp. 58, 60. More recently Camille has elided the issue, stating: ‘We do not know the exact date when the manuscript was commissioned. It could have been begun as early as the early 1330s . . .’ (*Mirror in Parchment*, p. 324).

¹¹ Camille, ‘Labouring for the Lord,’ pp. 440–1. Camille’s interpretation rests upon the observation that in 1331 Sir Geoffrey petitioned for retrospective papal dispensation for his marriage, which was allegedly discovered many years after its solemnization to be within forbidden degrees, and that there was a three-year delay before the marriage was ruled to be lawful. Backhouse (*Luttrell Psalter*, p. 29) is undoubtedly correct that the timing of the petition was tied to Sir Geoffrey’s heir coming of age, the concern being to preempt any challenge to his legitimacy; but it need not follow, as Camille suggests, that ‘The incest issue must have hung like a terrible threat over the whole family and might relate to the commissioning of a status-symbolic book like the Luttrell Psalter at the time they were seeking legitimization of a very concrete kind.’ In fact the strategy of seeking retrospective

was it a project of an older man, his mind focused on his own mortality and, to borrow Joel Rosenthal's phrase, the purchase of paradise, indeed a project that was cut short not by lack of funds or interest, but by the Grim Reaper himself?¹²

Sandler's chronology depends on tying the Luttrell Psalter to the now very damaged Douai Psalter and the essentially rather different Stowe Breviary, both of which have been dated on the evidence of identical chronological notes contained within the manuscripts. These notes conclude with the execution of Thomas, earl of Lancaster, in 1322, but they fail to notice the death of the local diocesan, Bishop Salmon of Norwich, in 1325. Hence Sandler, following Sydney Cockerell, dates these manuscripts to 1322–5.¹³ She then ties the Luttrell Psalter to these two on stylistic grounds and hence arrives at a date in the second half of the 1320s. Two problems arise from this methodology. The first concerns the dating of the Stowe and Douai manuscripts, since although Cockerell's conclusion that the lack of notice of Bishop Salmon provides a *terminus ante quem* is plausible, it is not conclusive. The second, perhaps more serious, reservation is that, whenever we date the earlier manuscripts, the stylistic evidence connecting them to the Luttrell Psalter, which is not based on matching artists between manuscripts, is insufficient to support conclusively a date for Luttrell so close to the Douai and Stowe manuscripts. More recently Dennison has argued for a relationship between the Luttrell Psalter and a number of manuscripts associated with the diocese of Ely in, according to her chronology, the 1340s, and although she particularly focuses on decorations completed during the third phase of decoration, her stylistic arguments relating the psalter to other manuscripts completed in the 1340s would suggest that even the first two

dispensations was not uncommon among the aristocracy of this period. The aristocracy often arranged marriages between kin as part of their dynastic strategy, but preferred not to have those alliances thwarted by the rather rigorous canonical rules on consanguinity if these impediments were declared prior to the solemnization. By gaining a retrospective dispensation, however, families were able to exploit the normal reluctance of the Church to dissolve established marriages. In fact in the Luttrell-Sutton marriage case no evidence of consanguinity was discovered. Backhouse likewise appears to see the dispensation as a factor behind the commissioning of the manuscript, but relates it also to the coming of age of Sir Geoffrey's son, Andrew, in 1334 and hence suggests a date in the mid 1330s. She believes this view is supported by 'the general atmosphere of satisfaction and rejoicing which permeates the pages of the Luttrell Psalter' (*Luttrell Psalter*, p. 58). As we will argue, so far as it is possible to read so subjective an emotion from this source, any 'atmosphere of satisfaction' is best explained by the psalter's ideology of lordship.

¹² J. T. Rosenthal, *The Purchase of Paradise: Gift Giving and the Aristocracy, 1307–1485* (London, 1972).

¹³ For these manuscripts see Sandler, *English Gothic Manuscripts*, cat. nos. 79, 105. See also S. C. Cockerell, *The Gorleston Psalter: A Manuscript of the Beginning of the Fourteenth Century in the Library of C. W. Dyson Perrins* (London, 1907), pp. 2–5.

phases of decoration may be later than 1340.¹⁴ Richard Marks also prefers this later date, which also seems to accord rather better with the comparatively sophisticated armour worn by Sir Geoffrey in the arming scene (Figure 3.3).¹⁵ It is further supported by some details of dress and hair style, the hanging sleeves and *cornettes*, that again suggest a date no earlier than the fifth decade of the century. Such a dating is consistent with the suggestion proposed here, namely that the first two phases of the manuscript belong to the 1340s, after the death of Lady Agnes, and were terminated by Sir Geoffrey's own demise in 1345.

There is further evidence to support this hypothesis. It is regrettable that the manuscript has all too often been studied in isolation, but we are in fact fortunate in that two other significant cultural artifacts associated with Sir Geoffrey survive: his tomb and his will. The three make a significant trinity since all are, we would argue, concerned with death, remembrance, and salvation. The will has long been known since it is transcribed and translated in Millar's edition of the Luttrell Psalter, but it has been read as an ancillary source rather than an important piece of evidence in its own right, not least because of its singular failure to mention the psalter itself.¹⁶ The lacuna is singular because psalters are one of the few books regularly noted in the wills of the nobility and gentry, and a book of such cost, and we may suppose cultural value, is surely not something Sir Geoffrey could have lightly overlooked.¹⁷ There thus must be a reason for its non-inclusion. The reason, we propose (and this first is an uncontroversial observation), is that the manuscript was incomplete at the time of the making of the will and indeed of Sir Geoffrey's subsequent demise. The manuscript, because incomplete and, save perhaps for the customary advance, unpaid for, thus did not actually belong to Sir Geoffrey.¹⁸ Indeed the evidence points to its

¹⁴ Dennison notes that the first phase 'appears to have been terminated around the death of Agnes Sutton, Luttrell's wife, in 1340' ('Fitzwarin Psalter', p. 58), which apparently assumes that the two portraits of Agnes were unlikely to have been made after her death. We agree, however, with Richard Marks, who, describing the portrait of Sir Geoffrey, states that 'The presence of Agnes does not prove that the principal decoration was executed before her death', arguing that '[T]he picture should be read symbolically and not as depicting an actual event; even if that were the case the scene could have been commemorative, post-dating her decease.' R. Marks, 'Sir Geoffrey Luttrell and Some Companions: Images of Chivalry c. 1320–50', *Wiener Jahrbuch für Kunstgeschichte* 46/47 (1993/4), 343–55 (p. 347).

¹⁵ Marks, 'Sir Geoffrey Luttrell', p. 347.

¹⁶ See Millar, *Luttrell Psalter*, pp. 52–6.

¹⁷ It could be argued that the psalter was excluded precisely because it was so important and hence had been specifically devised prior to, or at least independently of, the will. Such an explanation only makes it more difficult to account for the way the psalter had passed outside the family by at least the end of the century.

¹⁸ We are grateful to Richard Marks for this observation about methods of payment. Camille suggests that the manuscript may have been left incomplete because of the death of the Luttrell Master; see *Mirror in Parchment*, p. 327.

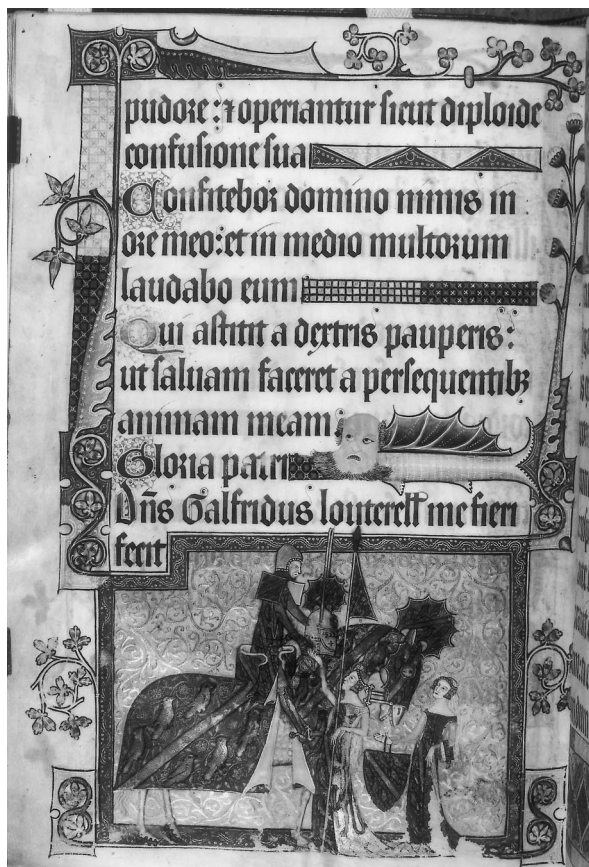


Figure 3.3: Sir Geoffrey Luttrell's arming. British Library, MS Add. 43120, fol. 202v. (Photograph reproduced by permission of the British Library)



Figure 3.4: Opening of Psalm 109. British Library, MS Add. 43120, fol. 203r. (Photograph reproduced by permission of the British Library)

having passed into entirely other hands by the later fourteenth century. Although it does not include any Luttrell obits or other marks of ownership by the family, for example, later obits inscribed in the calendar link it to the Fitzalan family.¹⁹ Finally, and most controversially, because its primary purpose lay in its use at Sir Geoffrey's funeral, its unfinished state defeated that end.

Sir Geoffrey's will requested burial before the high altar of his parish church of St Andrew at Irnham in Lincolnshire. He left the sum of forty shillings to the clerks saying psalms at his burial, just as, conventionally enough, he left his best horse and its trappings for his mortuary. Sir Geoffrey's war horse with all its caparison is, of course, represented in the illumination of the principal opening of the manuscript associated with Psalm 109 (fol. 202v) (Figures 3.3, 3.4). Both the actual mortuary gift and, as Marks has argued, the manuscript illumination can be read as lending 'sacerdotal overtones' to Sir Geoffrey's self-construction as 'the epitome of the perfect Christian Knight'.²⁰ It is, however, the bequest to the clerks that may provide a clue as to the intended purpose of the manuscript. The psalter is striking for its size and particularly for the size of its text. Even though the manuscript's large size, 360 x 245 mm, is matched by some other fourteenth-century English psalters, its 309 large folios are inscribed with only fourteen lines of text, an unusually small number for such a large book. For example, of the fifty-six psalters catalogued by Sandler in her survey of English Gothic manuscripts produced in the period 1285–1385, only twelve are comparable in size;²¹ none of these, in fact, not even the smallest of the other fifty-five psalters, has as few as fourteen lines of text, and most manuscripts inscribe at least twenty lines per page, often as many as twenty-eight, twice the number of lines written in the Luttrell Psalter. Its unusually small number of lines and its large text, written in a formal liturgical hand, suggest that the book was designed for use on a lectern and by several readers simultaneously, perhaps as is shown in the historiated initial for Psalm 97 (fol. 174r), which pictures a group of five clerics singing 'the new song' of the psalm from a large book resting on a lectern. The Luttrell Psalter may thus have been designed for such a function as the public reading by a group of clerks at a funeral and on other occasions.²² The manuscript, which also contains an Office of the Dead

¹⁹ See Millar, *Luttrell Psalter*, p. 5; and Camille, 'Labouring for the Lord', p. 446. Camille thinks that Sir Geoffrey's son, Andrew, was probably responsible for the disposal of the psalter, perhaps passing it on to Henry Grosmont (*Mirror in Parchment*, p. 311).

²⁰ Marks, 'Sir Geoffrey Luttrell', p. 354.

²¹ For these manuscripts see Sandler, *English Gothic Manuscripts*, cat. nos. 14, 43, 51, 82, 104, 105, 108, 128, 131, 135, 143, 147.

²² We here strongly differ from Camille's assertion that the Luttrell Psalter 'would have been of little use to those performing the rites at Geoffrey's obsequies since it is a "gift psalter" for private, not liturgical, use' (*Mirror in Parchment*, p. 123). On this distinction see J. McKinnon, 'The Late Medieval Psalter: Liturgical or Gift Book?',

(fols. 296r–309v), may have been intended to have not only a very immediate function associated with Sir Geoffrey's death and burial, but also a longer memorial function. This assumes that the psalter was never intended for private devotional use by Sir Geoffrey or members of his immediate family, which would explain its use of Latin throughout and the absence of prayers and other devotional texts in the vernacular, which were sometimes included in English Gothic psalters and books of hours intended for private devotions, particularly those designed for the laity. The evidence suggests instead that the psalter was intended for use in association with his chantry within his parish church at Irnham. Indeed, in his will, Sir Geoffrey made provision for twenty chaplains to say mass in the parish church for his soul for a period of five years after his death.

The second significant cultural artifact associated with Sir Geoffrey is his tomb, clearly identified by the representation of the arms of Luttrell and of Sutton (Figure 3.7). There is nothing that would allow us to date this precisely, though stylistically it is akin to the psalter itself. One commentator has observed that 'in the combination of narrative scenes and architectural embellishment of sculpture, this must mark the furthest extreme of subordination of subject matter to decoration.'²³ The tomb has parallels with a number of other regional examples of Easter Sepulchres such as the slightly earlier example at Heckington and the near contemporary example at Hawton.²⁴ Although the iconographic evidence for the tomb doubling as an Easter Sepulchre is comparatively slight, the form of the tomb suggests that this was the model to which the mason was working. This view is strengthened by the observation that the tomb, moved during the restoration of 1858, was originally located in the north chancel arcade. Opinion as to whether this is indeed both tomb and sepulchre is admittedly divided. Veronica Sekules is doubtful, but Joan Evans is emphatic and Nicholas Pevsner follows her view without comment, as does Pamela Sheingorn in her definitive catalogue, *The Easter Sepulchre in England*.²⁵ There are some later

Musica Disciplina 38 (1984), 133–57. We further contend that Camille's extensive hypothetical discussion of Sir Geoffrey's use of the psalter for his personal devotions is wrongheaded; it not only imagines Geoffrey reading his psalter in his private chapel but also assumes his Latin literacy, his ability to decipher complex word play in three languages, and his awareness of their visual embodiments in the manuscript's marginal imagery. See *Mirror in Parchment*, pp. 139–77.

²³ J. Sedgwick, 'Decorated Easter Sepulchres of Lincolnshire and Nottinghamshire' (unpublished M. A. dissertation, University of York, 1980), p. 16.

²⁴ For these sepulchres see P. Sheingorn, *The Easter Sepulchre in England*, Early Drama, Art and Music Reference Series 5 (Kalamazoo, MI, 1987), pp. 206, 286–7, and figs. 39–42.

²⁵ See V. A. Sekules, 'The Tomb of Christ at Lincoln and the Development of the Sacrament Shrine: Easter Sepulchres Reconsidered', in *Medieval Art and Architecture at Lincoln Cathedral*, ed. T. A. Heslop and V. A. Sekules, British Archaeological Association Conference Transactions 8 (London, 1986), pp. 118–31 (p. 126, n. 3);

examples of such a double function at Long Melford and East Bergholt, and there is also a contemporary example in the Percy tomb in Beverley Minster, which, according to Sheingorn, was 'probably intended for use as an Easter Sepulchre'.²⁶ If we accept this double function, and read it as part of Sir Geoffrey's programme for his own burial and commemoration, then it is likely that the tomb would have been constructed in his own life time and perhaps at the same time as the Luttrell Psalter was first commissioned. Sedge, in an unpublished master's dissertation, has pointed to the striking parallels between the ritual associated with Easter Sepulchres and the funeral service for a person of rank.²⁷ Sekules has argued convincingly that the function of these permanent masonry sepulchres was not limited to Easter but extended through the year in providing receptacles for the reservation of the consecrated host.²⁸ Sir Geoffrey's tomb-cum-sacrament-shrine thus served to house not just the mortal remains of the lord of Irnham, but the living body of Christ. Commemoration of the dead lord was combined with commemoration of the living Deity.

The manuscript reinforces this eucharistic reference in a semiframed *bas-de-page* scene accompanying Psalm 115 (fol. 208r), which shows the Luttrell family at dinner hosting two Dominicans (Figure 3.1). Seated before a tapestry decorated with the Luttrell martlets and at the centre of a long table covered with food and utensils, Sir Geoffrey is the focus of attention, flanked by his wife and the two friars on his right and his two sons and daughter-in-law on his left. A servant stands to the side while setting dishes before the friars and another slightly smaller servant, perhaps Sir Geoffrey's cupbearer, looks up to his lord while kneeling in the foreground. Camille has noted that the scene has 'eucharistic overtones', since the cupbearer's 'fringed napkin is worn backward like a liturgical stole'.²⁹ No-one has previously noted, however, that the design and symmetry of the table scene recalls the Last Supper represented earlier in the psalter (fol. 90v) (Figure 3.2).³⁰ There

J. Evans, *English Art 1307–1461*, Oxford History of English Art 5 (Oxford, 1949), p. 171; N. Pevsner and J. Harris, *The Buildings of England: Lincolnshire* (Harmondsworth, 1964), p. 583; and Sheingorn, *English Sepulchre*, p. 207. Most recently Camille has stated that 'there is no evidence to indicate that the monument at Irnham is such a conflation of sepulchre and tomb' (*Mirror in Parchment*, p. 134). In fact our argument is not dependent on the monument ever having filled this double function, but rather that the singular form of the structure was deliberately chosen to suggest both meanings.

²⁶ Sheingorn, *Easter Sepulchre*, p. 358. The Percy tomb must have been completed after 1340, since it carries the arms of England quartered with France. For East Bergholt and Long Melford see Sheingorn, *Easter Sepulchre*, pp. 310 and 313–15.

²⁷ Sedge, 'Decorated Easter Sepulchres', pp. 39–41.

²⁸ Sekules, 'Tomb of Christ', pp. 118–31.

²⁹ Camille, 'Labouring for the Lord', p. 440.

³⁰ Since we presented this paper, Camille has developed a lengthy interpretation of the banquet scene as a family thanksgiving, perhaps a Christmas feast. He cites the Last Supper image in the psalter as 'an interesting comparison with what is usually

Jesus, like Sir Geoffrey, is the centre of attention and is flanked by his disciples. A slightly smaller Judas, like the cupbearer, kneels in the foreground before the table as Christ gives him the sop. The visual symmetry is striking. The association between Sir Geoffrey and Jesus as well as the broader eucharistic significance of the banquet scene is made explicit, furthermore, since Sir Geoffrey holds a cup in his right hand directly above a silver platter decorated with a Greek cross, recalling the traditional sign on the host. Sir Geoffrey here is clearly given sacerdotal status. Camille also notes that Sir Geoffrey's cup illustrates a verse in the accompanying psalm, *Calicem salutaris accipiam et nomen domini invocabo* (Psalm 115. 13).³¹ In our view the visual allusion to the chalice of salvation and the possible invocation of the Lord's name further underscore the eucharistic allusions and the entire scene's association with the Last Supper. Such a deliberate, and to our minds perhaps slightly shocking, juxtaposition of the secular lord with the Lord is also found elsewhere in the psalter.

Perhaps the best example of how the manuscript's imagery emphasizes lordship and how its *mise-en-page* juxtaposes the secular lord with Christ is the famous equestrian portrait of Sir Geoffrey attended by his wife and daughter-in-law (fol. 202v) (Figure 3.3). The only framed free-standing miniature in the manuscript, the only secular image painted on the richly worked gold foliate grounds reserved for the larger historiated initials, and the only image introduced by a Latin text inserted within the central text area reserved for the psalms, it is clearly emphasized and stands out even in this manuscript of bewildering decoration. It immediately precedes the historiated initial introducing Psalm 109 (fol. 203r), which represents a crowned David holding a sceptre seated to the right of Christ, who is shown with a crossed nimbus and holding the globe in his left hand (Figure 3.4). Christ gestures toward David with his right hand, an allusion

described as a purely secular feast', rightly noting that in the banquet scene 'the Christological associations are as relevant to the patron's self-image as are the references to divine Lordship in the Psalm 109 miniature' (*Mirror in Parchment*, pp. 89–90). In fact an Easter feast seems more likely. This was the most important feast day in the medieval calendar. It also makes sense of the deliberate eucharistic allusions. That this depiction follows scenes of peasants labouring culminating in the harvest should be read symbolically and not chronologically.

³¹ Camille, 'Labouring for the Lord', p. 440. L. F. Sandler, 'The Word in the Text and the Image in the Margin: The Case of the Luttrell Psalter', *Journal of the Walters Art Gallery* 54 (1996), 87–99, disagrees with Camille's interpretation, noting that the cup cannot be a 'direct illustration' of the psalm, since the biblical text is on a following folio; she further argues that 'in my view, "literal" illustrations and the texts to which they are related must be visually available simultaneously, whether it is a question of the response of the artist to the words or the response of the reader to the pictures' (p. 98, n. 27). In our view both Camille and Sandler overestimate the number of *imagines verborum* in the psalter and the Latinity of its artists and patron; we consider the psalter's juxtaposition of images and visual echoes to be more likely clues to its ideological concerns.

to the following text, *Dixit dominus domino meo: sede a dextris meis*. These attributes of the heavenly and earthly king parallel the attributes of lordship with which Sir Geoffrey is armed by his female attendants. For example, the nimbus and crown of Christ and David parallel the helmet handed to Sir Geoffrey by Lady Agnes; David's sceptre parallels the lance held by Agnes; and Christ's globe parallels the shield held by Beatrice Scrope, Sir Geoffrey's daughter-in-law.

Both Camille and Marks have stressed the significance of the placement of the framed miniature between Psalms 108 and 109, and Camille has noted some verbal echoes in the adjacent verses 'which Luttrell must have read with self-affirmation'.³² Although we doubt Sir Geoffrey ever read this manuscript – and neither would he have read it even if it had been completed before his death, since we believe it was intended to be read by clerics during formal services – we agree that the juxtapositioning of the miniature with the psalms was made to inform the patron's ideology of lordship. We also think that the miniature's placement here must have influenced the iconography of the historiated initial introducing Psalm 109, an iconography that, as Camille notes, is 'comparatively rare'.³³ Although some earlier manuscripts illustrate this psalm by picturing King David seated on the right hand of Christ, by the Gothic period this iconography had largely been superseded by the much more common representation of the Trinity, as is evident in the English psalters surveyed by Sandler. Of the thirty-seven psalters that, like Luttrell, include historiated initials setting off the traditional ten divisions of the Psalms, twenty-seven illustrate Psalm 109 with representations of the Trinity or God the Father and God the Son together, whereas only the Ramsey Psalter (c. 1300–10) illustrates the psalm by picturing David next to the Lord.³⁴ Thus the unusual iconography of the historiated initial, which was painted by the principal artist responsible for the miniature, was probably selected to emphasize the representation of Sir Geoffrey on the right side of the Lord. The role of David is crucial here, as it is elsewhere, in constructing the manuscript's representation of lordship. Here David's role and position as biblical king links Christ's divine lordship and Sir Geoffrey's secular lordship. It may also, by implication, imbue Sir Geoffrey with the sacerdotal role traditionally assumed by David, who was a prophet as well as a king. God's anointed on earth, responsible as secular lord for God's chosen people, David was also the ancestor through direct descent of the divine Lord, as is emphasized by the popular Tree of Jesse images that are often included in Gothic manuscripts.

This visual emphasis linking secular, biblical, and divine lordship is echoed as well by the texts that frame the miniature and the historiated

³² Camille, 'Labouring for the Lord', p. 443; see also Marks, 'Sir Geoffrey Luttrell', p. 351.

³³ Camille, 'Labouring for the Lord', p. 442.

³⁴ For the Ramsey Psalter see Sandler, *English Gothic Manuscripts*, cat. no. 41.

initial, a point again emphasized by both Camille and Marks.³⁵ Just as three lords are pictured, so is the word 'lord' repeated three times, first in the text (*D[omi]n[u]s Galfridus louterell me fieri fecit*) preceding the equestrian portrait of Sir Geoffrey, and then twice (*Dixit dominus domino meo: sede a dextris meis*) immediately following the historiated initial representing David and Christ. What has not been noted is that the emphasis on lordship probably accounts for the placement of the miniature before Psalm 109, since typically in psalters portraits of donors and owners are placed beside Psalm 119, as in the Psalter of Richard of Canterbury (c. 1310–20) or the psalter now at Longleat House (MS 11 [c. 1310–20]), which pictures a wealthy layman kneeling in prayer before the Lord.³⁶ Because Psalm 119 was not decorated by the principal artist – it is inscribed in the section decorated later during phase three – it is impossible to know whether or not a third portrait of Sir Geoffrey was originally intended to accompany the psalm, perhaps picturing him kneeling in devotion with his family to complement the two pictures representing him in public as knight on horseback and in private with his family and the two friars at table. What we do know is that the miniature emphasizing his lordship is placed opposite Psalm 109 and that it is unique.³⁷ It is introduced by a text that underscores his status by crediting him for having had the manuscript made (*me fieri fecit*), just as it is followed by pictures of two other lords and makers, the author of the Psalms and the Creator of the Universe. The three lords are further linked by the brief line that introduces the text preceding the miniature: *Gloria patri*. To our knowledge, no-one has commented on this text, perhaps because of its obvious liturgical echoes. It is important to realize, however, that the two words, written in the liturgical hand reserved for the Psalms, are also additions to the biblical text. The two words might be understood as a gloss on the conclusion of Psalm 108, but this seems unlikely, since no other psalm in the manuscript receives such comment. More likely it is a way to introduce Sir Geoffrey, to identify him as 'father', and to give him glory both as patron of the manuscript and as head of his *familia*, with whom he is represented in the miniature below. The words also tie him once again to David as royal earthly 'father' and to Christ as divine heavenly 'Father', with whom his portrait is juxtaposed.

Lordship, then, is the key to understanding so much that is unusual and puzzling about the choice of illumination in the Luttrell Psalter. As we have seen, Sir Geoffrey is constructed in the manuscript as the head of his family and lineage, of his household, and of his peasant tenantry. This is represented visually in the depictions of Sir Geoffrey being armed as for war and at table,

³⁵ See Camille, 'Labouring for the Lord', pp. 442–3; and Marks, 'Sir Geoffrey Luttrell', p. 351.

³⁶ For these manuscripts see Sandler, *English Gothic Manuscripts*, cat. nos. 57 and 73.

³⁷ As Marks states, 'no other owner of an elaborate illuminated manuscript of the period had himself portrayed in this way' ('Sir Geoffrey Luttrell', p. 353).

of the kitchen and the servants waiting at table, and of peasants labouring in the fields respectively. Just as the scenes of labouring in the fields run into the scenes of serving in the kitchen and waiting at the lord's table, so these categories have been more clearly defined by modern scholars than they would have been for Sir Geoffrey. Tenant, servant, and kinsman may be seen to overlap. Thus Sir Geoffrey's principal squire, Thomas Chaworth, was also a kinsman by marriage. The same was true of his chamberlain, and bonds of spiritual kinship were created between Sir Geoffrey and his cook, his butler, and another employee in his kitchen by reason of his becoming a godfather to their sons.³⁸ It is likely, moreover, that some of his household servants were drawn from the families of his tenantry. Over all these different persons, Sir Geoffrey exercised a paternalistic and patriarchal authority which is represented as both divinely sanctioned and quasi-sacerdotal. Although the servants working in the household and the peasants labouring in the fields are essential for the idealized order represented in the Luttrell Psalter, and although they have an important role to play within the ideology of lordship, they are always subordinate to the lord.

An example of the important yet subordinate nature of such roles is evident in a series of scenes painted during the second phase of the manuscript's decoration. The Luttrell Psalter is famous for the secular topics represented in its margins, but it does include a traditional sequence of *bas-de-page* scenes representing the life of Christ from the Annunciation to Pentecost (fols. 86r–96v). We wish to focus on the Nativity sequence, which accompanies the text of Psalm 44 and the first part of Psalm 45. The sequence begins (fol. 86r) with the Annunciation painted below the small historiated initial introducing Psalm 44, which represents the Virgin and Child. The *bas-de-page* scene and the initial are thus clearly linked iconographically. The next opening then pictures two more scenes, both suggesting humility. In the lower margin of fol. 86v the Virgin is shown in the stable accompanied by an ox and ass. She lies on a couch suckling the infant Jesus, while Joseph and the midwife look on. Neither Mary nor her child is pictured with a nimbus. The facing *bas-de-page* (fol. 87r) then represents the Annunciation to the Shepherds (Figure 3.5). An angel holding a blank scroll in his left hand points with his right to a large gold star, while two shepherds holding clubs and with double pipes hanging from their girdles tend a flock of four sheep assisted by a small dog. In response to the angel, the foremost shepherd lifts his right hand to cover his head in what seems to be a gesture of incomprehension.³⁹ The paired images, neither linked to an historiated initial, focus on the mundane and the intervention of the supernatural into the

³⁸ Some of these relationships are apparent from Sir Geoffrey's will; see Millar, *Luttrell Psalter*, pp. 52–3; and Backhouse, *Luttrell Psalter*, p. 56.

³⁹ Camille, discussing the shepherds' mittens, interprets the similar gesture of the shepherd when he meets the Magi as a sign of deference: see *Mirror in Parchment*, p. 221.

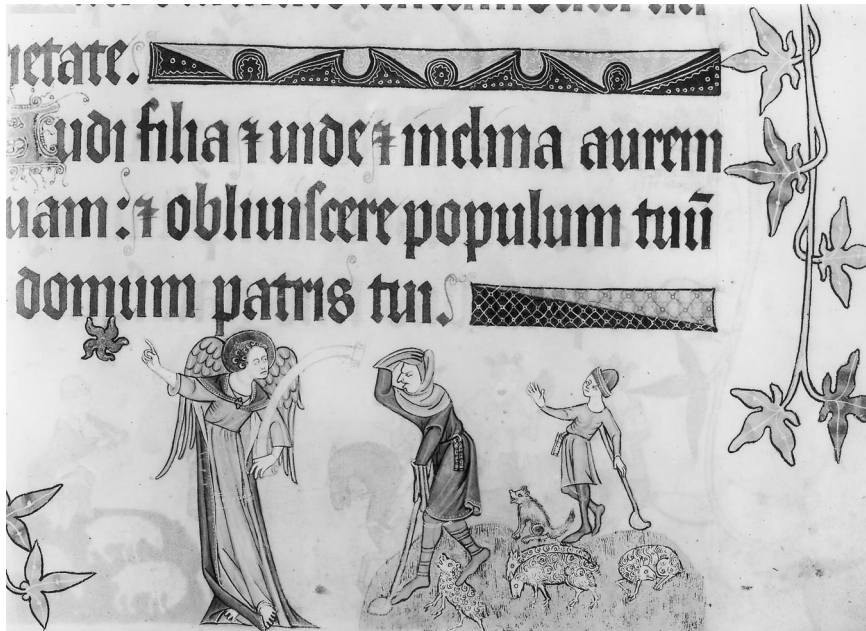


Figure 3.5: Annunciation to the Shepherds. British Library, MS Add. 43120, fol. 87r. (Photograph reproduced by permission of the British Library)



Figure 3.6: Adoration of the Magi. British Library, MS Add. 43120, fol. 88r. (Photograph reproduced by permission of the British Library)

natural. The lack of nimbus in the Nativity scene and Mary's nursing her baby emphasize the humanity of Jesus, an emphasis noted in exegetical explanations of why the Annunciation to the Shepherds precedes the Magi, who now follow in two images represented on the next opening.⁴⁰ The Three Kings – crowned, mounted on horses, and carrying their gifts – encounter the two shepherds with their flock (fol. 87v). The foremost shepherd, still covering his head with his right hand, points with his left to the star that now hovers below the words *nati sunt* and above the head of the other shepherd playing his double pipe. The shepherds then disappear from the facing *bas-de-page* scene (fol. 88r), which represents the Three Kings, crowned, adoring the Virgin and Child (Figure 3.6). Interestingly, Jesus is here pictured with a crossed nimbus and Mary wears a crown that is also enclosed in a nimbus. The emphasis in this scene is upon royalty, the recognition of Christ's divine lordship and Mary's status as Queen of Heaven as well as Mother of God. Significantly, this scene is paired with the historiated initial introducing Psalm 46, which shows a crowned David kneeling before Christ.

How does this sequence help construct Sir Geoffrey's ideology of lordship? Once again, it gives a clear role to the labourers, here the two shepherds shown in two *bas-de-page* scenes at work. But it also makes clear that the shepherds do not understand the heavenly significance of their role in salvation history. Unlike the shepherds in other visual representations of the Nativity and unlike the loquacious shepherds of the later mystery plays, who, as Elizabeth Salter has shown, take on the roles of exegetes and prophets as well as voicing complaints against their lords, these shepherds are mute and uncomprehending.⁴¹ Their role is to point the way, to serve as intermediaries between the angel and the Magi, but they are tied to their flocks and do not move toward the manger to adore the newborn Child. This role is reserved for the Magi, who worship the Divine Child and regal Mother and whose status as earthly lords is underscored by the linking of their worship in the *bas-de-page* scene with the worship portrayed above in the historiated initial. Once again, David serves as a model of lordship: here lordship worshipping the divine. Thus it is important to realize what the sequence has omitted. The shepherds, like the Magi, are shown twice, but not in worship and not connected to the lordship of David. Traditional scenes involving the Magi are also omitted, such as their preliminary visit to King Herod, as the biblical narrative recounts and as they are often portrayed in

⁴⁰ On this exegesis see E. Salter, *English and International: Studies in the Literature, Art and Patronage of Medieval England* (Cambridge, 1988), p. 281.

⁴¹ Salter, *English and International*, pp. 274–82. Although Salter does not discuss the Luttrell Psalter, her discussion of another exegetical tradition involving the shepherds may apply here, particularly that based on Isaiah 56: 11: 'the shepherds themselves knew no understanding. All have turned aside into their own way, every one after his own gain, from the first even to the last' (Salter, *English and International*, p. 277).



Figure 3.7: Tomb or Easter Sepulchre associated with Sir Geoffrey Luttrell, with the Luttrell (left) and Sutton arms (right), in parish church of St. Andrew, Irnham (Lincolnshire). (Photograph: J. Hall / L. McClure.)

psalters and in manuscripts such as the *Gesta infantiae Salvatoris* (Oxford, Bodleian Library, MS Selden Supra 38 [c. 1315–25]) and the Holkham Bible (c. 1320–30).⁴² The lordship of the Three Kings is thus kept unsullied by contamination with the bad lordship of Herod, who after meeting with the Magi is often shown ordering the Massacre of the Innocents, a crucial part of the Nativity sequence emphasized in manuscripts and popular drama alike, but conspicuously absent from the Luttrell Psalter.

How then are we to read the depictions in the Luttrell Psalter of the peasantry labouring in the fields or the household servants at work in the kitchen or waiting at table? The first point is that, despite the verisimilitude of the plough and the ploughteam, of the cooking utensils, the details of dress, or even the possible suggestion of portraiture in respect of some of the kitchen staff, these are not simple mirrors of life. The colour of the pigments used is dictated by aesthetics rather than social realism, and the choice and ordering of the scenes represented follows a predetermined agenda agreed between the artist or artists and Sir Geoffrey as patron or someone acting on his behalf.⁴³ This is an agenda that emphasizes an idealized order of society

⁴² For the *Gesta infantiae Salvatoris* see Sandler, *English Gothic Manuscripts*, cat. no. 54; for the Holkham Bible see W. O. Hassall, *The Holkham Bible Picture Book* (London, 1954).

⁴³ Camille thinks it likely that one of Sir Geoffrey's Dominican advisors – perhaps one

and the rewards that follow. This order is a product of good lordship. It is indeed striking that, as we saw in the Magi scenes, the manuscript modifies traditional iconographic narratives in order to emphasize the positive aspects of lordship and suppresses reference to bad lordship.

The depictions of peasants labouring in the fields reflect a mixed agrarian economy, such as is documented at Irnham, and represent tasks of varying seasons such as ploughing, sowing, harrowing and weeding, but they culminate in the harvest scenes. The series can be read in a number of different ways. As Camille has noted, the scenes accompany psalms in praise of God's bounty.⁴⁴ They logically precede the kitchen and dining scenes at which the product of the land is prepared and consumed. They also represent the fruit of an orderly society in which the role of the peasantry is defined in terms of agricultural labour. This is not to imply that these are necessarily bond tenants performing labour services; it matters not whether the peasants depicted here are working on their own holdings or on the lord's demesne lands, but that the success of their labour depends on a single-minded dedication to the seasonal tasks.⁴⁵ Good lordship implicitly underpins this orderly endeavour and helped guarantee the fruit of that labour. This is not a society that could take harvests for granted or that had no experience of hardship, and it should be remembered that the agrarian crisis of the second decade of the century had occurred only one generation previous. The representations are thus not simple mirrors of peasant life, but are essentially ideological.

That the peasantry are here defined with reference to an essentially seigneurial or patriarchal concept of labour and of order is reinforced by a consideration of what subject matter is absent. Although peasant women are shown at those archetypically feminine tasks of spinning (fol. 193r), feeding poultry (fol. 166v), milking sheep (fol. 163v), weeding (fol. 172r) or even working alongside men at the grain harvest (fol. 172v), they are hardly conspicuous as mothers, household managers or even, as social historians of peasant society repeatedly comment on, petty retailers or brewsters of ale. The tinker, the only obviously itinerant labourer shown, and thus someone who may well represent an outsider and someone without ties to the manor and its lord, is being seen off by a fierce dog (fol. 70v). Labour is thus conceived here as that which contributes to the welfare not of individuals or their families, but of the community and, specifically, the lord as head of that

of those portrayed in the banquet scene – 'would have been involved in the deliberations and organization of his lord's most elaborate item of devotional patronage' (*Mirror in Parchment*, p. 314).

⁴⁴ Camille, 'Labouring for the Lord', p. 436.

⁴⁵ In 1297 rental income from bond tenants was sufficiently substantial as to suggest a high level of commutation of labour services, even though most land was given over to arable. See *Calendar of Inquisitions Post Mortem* 8 (London, 1913), pp. 422–3; and G. Platts, *Land and People in Medieval Lincolnshire*, History of Lincolnshire 4 (Lincoln, 1985), pp. 63, 107, tables 2, 4.

community. Whereas peasant dwellings or even the parish church are not represented, a windmill (fol. 158r) and a watermill (fol. 181r) both are. Both, of course, may be read either as utilities provided by the lord for the benefit of his tenants or as further extensions of seigneurial authority and oppression.⁴⁶ The Eleanor Cross (fol. 159v) and the carriage full of royal ladies (fols. 181v–182r) hint at a royal authority that also underpins this seigneurial authority, as does the connection to David, the biblical model of good kingship and author of the psalter being illustrated.

The peasantry seem not to engage in leisure activities.⁴⁷ They are shown practising with their longbows (fol. 147v), as was demanded by statute as part of the war effort following Edward III's claim to the French crown, but they are not shown at such other, implicitly disorderly, recreational activities as football, drinking at the alehouse or gaming. The exceptions are the representations of wrestling (fol. 62r), a puzzling drinking game (fol. 157v), three men casting stones (fol. 198r), and bear baiting (fol. 161r), which was perhaps not considered to be subversive.⁴⁸ The various acrobats and performers found in the margins of the sixth and seventh gatherings were probably for the entertainment of the aristocracy. The young lady having her hair dressed (fol. 63r) and the king and the lady playing a board game together (fol. 76v) occur within the same gatherings. Similarly, male pastimes include hawking (fols. 159r, 163r) and hunting (fols. 43v, 64v), activities limited to the aristocracy. Leisure thus becomes a status symbol, but there is a deeper meaning here also. The minstrels on fol. 176r offer a visual cue to the text of the psalm in praise of the Lord that they accompany and are thus a

⁴⁶ Camille, noting that the image of the watermill does not include any people, states: 'It is one of the earliest instances of an uninhabited landscape in English art, but what is being admired and positioned as an object of worth is not a beautiful valley. The lock on the door is a crucial sign that it is, like a chest with a lock and key, the property of the lord who controlled this place of profit' (*Mirror in Parchment*, p. 213). He also notes that the image of the windmill includes a snarling dog, 'one of the many signs of surveillance and protection of the lord's valuable property from theft which run throughout the psalter' (*Mirror in Parchment*, p. 215).

⁴⁷ Camille argues that 'the Luttrell Psalter contains more scenes of peasants playing than working' and that 'there are far more scenes of these folk games than there are of their aristocratic equivalent, the tournament, just as the number of monstrous babewyns that refer to folk festivals far outnumbers the scenes of courtly entertainments and interludes' (*Mirror in Parchment*, pp. 230, 267). Camille's view seems to rest on a very narrow interpretation of aristocratic pastimes and overlooks the frequency with which non-aristocratic entertainers are presented in a context that makes it apparent that it is aristocratic patrons who are being entertained.

⁴⁸ If Camille is right that the bear-baiting image should be read as a political riddle alluding to the attack of the Scots on Berwick-upon-Tweed in 1318, and that 'The three men who set their vicious dogs on the tethered bear here represent the Scots, who are often compared to ravenous dogs in English chronicles of the period' (*Mirror in Parchment*, p. 68; see fig. 17), then even this recreational activity is related to the lord, since Sir Geoffrey had been involved in the Scottish wars earlier in the century.

further example of the conscious cross-referencing between Sir Geoffrey and the Divinity.

What then does the Luttrell Psalter tell us of 'The Problem of Labour'? In one sense it tells us very little. The illuminations are not simple mirrors of life, but form part of an ideological construction in much the same way as, for example, Henry Knighton's *Chronicle* or William Langland's *Piers Plowman*. Reconstructing this ideology is, however, essential to our understanding of social relations within the period. In the imagined world of the Luttrell Psalter, peasant society was characterized by order. All knew their place. Work was understood not in terms of individual needs, but of the greater good of the community and of the lord as head of that community. This labour was in some sense given religious meaning within the context of the Luttrell Psalter. Indeed, just as we can read the *bas-de-page* illuminations of peasants working as relating to the accompanying psalms in praise of God's bounty, so we can read those psalms as commenting on the accompanying illuminations. The fruit of their labour in the form of the harvest, furthermore, is the very food that is consumed at the lord's table. Since the representation of the lord of Irnham dining with his family consciously echoes the Last Supper and hence the mass, their labour is again sacerdotalized (Figures 3.1, 3.2). At the same time, the role of Sir Geoffrey as head of his family, his household, and his community is itself given religious meaning. The order he upholds, which we may call variously manorialism, feudalism or patriarchy, depends on a respect for his authority as lord. The Luttrell Psalter constructs his secular lordship as quasi-sacerdotal by its deliberate allusions to David and even Christ, who was understood to be of David's lineage.

Just as David was the author of the Psalms, so Sir Geoffrey was the patron of the Luttrell Psalter. David's identities as shepherd, musician, and king are all alluded to in the psalter, but Sir Geoffrey can be seen as vicariously occupying a similar role. Thus the shepherds to whom Christ's Nativity is announced are also Sir Geoffrey's shepherds. The minstrels in the margins of the psalter give praise to God, but also to Sir Geoffrey. David, the king who rules over the people of Israel, is the model for Sir Geoffrey's own lordship in Irnham. But Sir Geoffrey's self-construction as perfect Christian knight and father of his community goes further. It is seen, for example, in the way his depiction at table mirrors that of the Last Supper and the manner in which his tomb appears to have also been intended as a sanctuary for the consecrated host. There is a sense in which Sir Geoffrey represented himself as God within his own community. On one level this makes sense of his paternalism, reflected in his acting as godparent to the children of his own employees and the interest shown in his will for the wellbeing of his household staff. On another level, it makes sense of the incomprehension and outrage articulated by the ruling orders at the behaviour of the lower echelons of society immediately following the Black Death or again at the

time of the Peasants' Revolt, an outrage that envisioned the peasants as demonic in their challenge to the divinely instituted order.

Finally, we may ask, why is the concern with order and stability so central to the imagined world of the Luttrell Psalter? In part this is simply a facet of an ideology that constructs a social hierarchy as divinely ordered and hence unchanging and unchangeable. Sir Geoffrey's lordship in Irnham is indeed a divinely sanctioned lordship, just as the subordinate role of his family, his household, and his tenantry are divinely sanctioned. But it may also be a product of a perception of, and a reaction to, uncertainty and instability in the real world. We need not necessarily understand the relationship between lord and peasant in terms of guerilla warfare, as one recent writer has suggested, nor need we subscribe to the notion of a crisis of feudalism that has its roots in the very era of Sir Geoffrey's lordship in Irnham.⁴⁹ Rather we may note merely that within a society that was actually comparatively fluid and mobile, where the fortunes of the land varied so much from one year to the next, and where political circumstance could impinge upon the lives of individual lords in ways that were both unpredictable and occasionally disastrous, order and stability were especially desirable. Their incorporation into a seigneurial ideology reflects, therefore, not so much the status quo, but the world as lords would wish it. To read the *bas-de-page* depictions of peasants labouring as 'realistic' scenes from village life, therefore, is to buy into the very ideology that the psalter was attempting to articulate, to perpetuate and to sanctify.

⁴⁹ P. Franklin, 'Politics in Manorial Court Rolls: The Tactics, Social Composition, and Aims of a Pre-1381 Peasant Movement', in *Medieval Society and the Manor Court*, ed. Z. Razi and R. Smith (Oxford, 1996), pp. 162–98; R. H. Hilton, *Class Conflict and the Crisis of Feudalism: Essays in Medieval Social History* (London, 1985); and G. Bois, *The Crisis of Feudalism: Economy and Society in Eastern Normandy, c. 1300–1550* (Cambridge, 1984).

Framing Labour: The Archaeology of York's Medieval Guildhalls

KATE GILES

Most of the essays in this volume are concerned with historical and literary evidence for the discourses which surrounded the experience of labour and labourers in the late medieval period. This aim of this essay is specifically archaeological in that it seeks to understand the material framing of urban working identities through a particular form of architecture – the medieval guildhalls of York.

The 'problem' of labour in the late fourteenth century has generally been approached by historians through a range of written sources relating to its official regulation and control by national or local government. The Ordinance and Statute of Labourers and contemporary civic records have rightly been emphasized as the legislative and administrative mechanisms through which late medieval authorities sought to manipulate the labour market and labourers. Attention has also been drawn to the multiple discourses of labour expressed by literary and artistic works, and some of the essays in this volume are specifically concerned with this issue. However, although these sources tell us a great deal about the framing of labour by particular levels of national, aristocratic or civic authority, they do not necessarily inform us about the material conditions of labourers' lives. An understanding of this issue has been gained through the reconstruction of their living standards and working practices.¹ However an alternative tradition of historical scholarship has placed emphasis on the social and cultural practices of workers as a means of understanding the ways in which they sought to negotiate their social identity and relations with the wider community.²

¹ For a recent overview of historical and archaeological research into this issue see *Work In Towns 850–1850*, ed. P. J. Corfield and D. Keene (Leicester, 1990).

² G. Rosser, 'Crafts, Guilds and the Negotiation of Work in the Medieval Town', *Past and Present* 154 (1997), 3–31; B. R. McRee, 'Unity or Division? The Social Meaning of Guild Ceremonies in Urban Communities', in *City and Spectacle in Medieval Europe*, ed. B. Hanawalt and K. L. Reyerson (Minneapolis, MN, 1994), pp. 189–207.

Isolating the 'problem of labour' in later fourteenth century England enables us to understand the origins of the discourses which dominated late medieval and early modern cultural and political understandings of work and perceptions of workers. It is however an heuristic device which privileges the activity of labour over other aspects of human experience. In reality, work is a field of discourse which intersects with many other aspects of social life, and labour identity is something which had to be *worked at* in relation to multiple and overlapping social roles and responsibilities. This essay is therefore concerned to establish some of the material mechanisms through which these links were actively structured. It starts from the premise that working identities were actively negotiated by workers themselves rather than being artificially imposed 'from above' by particular levels of authority. It explores the involvement of a particular type of urban worker in particular kind of social group, namely craft mysteries and religious fraternities, and it focuses on one of the most cogent and symbolic aspects of their material culture – the medieval guildhall. The construction and use of this type of building can be argued to be evidence that the professional, working identities projected by craft associations did have value and meaning for particular levels of the working community.

The fact that guildhalls have received little coherent critical attention from either historians or archaeologists can be explained by several factors, not least of which is the application of the term 'guildhall' to the buildings of religious guilds (or fraternities) and buildings which effectively functioned as town halls, as well as those of craft mysteries. This confusion is complicated by the fact that guildhalls could be jointly constructed by more than one association, or built by one type of guild and gradually appropriated by another over time. There is also a problem with the survival and identification of guildhalls. Many were demolished or converted due to their connection with religious guilds during the Reformation, or due to the changing fortunes or disappearance of particular craft mysteries over time. Differences in their form, function and scale also make it difficult to place them within a stylistic or functional typology.³ Moreover many guildhalls were heavily altered over time, and it is often only through detailed archaeological interpretation that their original form and appearance can be reconstructed. The lack of documentary records relating to the actual use of guildhalls has also contributed to the marginalization of this type of building by previous scholars.

The interpretation of the use of guildhalls to frame particular kinds of

³ For attempts to develop a typological study of guildhalls see S. Rigold, 'Two Types of Court Hall', *Archaeologia Cantiana* 83 (1968), 1–22; the discussion of London livery halls in J. Schofield, *Medieval London Houses* (New Haven and London, 1995); sections on civic architecture in J. M. Steane, *The Archaeology of Medieval England and Wales* (London, 1985) and on timber-framed guildhalls in R. J. Brown, *Timber-Framed Buildings in England* (London, 1986).

working identity presented in the rest of this essay draws heavily on theoretical approaches which have developed within archaeology over the past decade. Of particular significance has been the realization that material culture was actively used in the past to negotiate the relationship between human agency and wider social structures. The work of the sociologists Giddens⁴ and Bourdieu⁵ has been of considerable importance in this respect. Giddens's 'theory of structuration' does not provide a simple model of society or trajectory of change to which historical or archaeological evidence can be fitted, but rather a means of thinking about how society and social knowledge are reproduced over time. Giddens emphasizes that social structures are both the medium and outcome of social practice, and therefore stresses the reflexive and recursive relationship between the two. Structuration theory also has particular resonance for archaeologists due to its emphasis on the spatial and temporal location of social practice; an idea embodied by the term 'locale'.⁶ The idea that space is not a passive container within which social life unfolds, but rather an active form of material culture, has had a profound impact on the archaeological study of space.

Structuration theory has been used by several archaeologists concerned with medieval buildings.⁷ However, most of these scholars emphasize that the material constitution of the locale has never been adequately theorized by Giddens, and have therefore turned to Bourdieu's idea of 'habitus' as a means of approaching this issue.⁸ Habitus can be understood as the strategy-generating principles or the 'organising framework of cultural dispositions and generative schemes' through which individuals gain an understanding of 'how to go on' in the world. Social practice is therefore seen as improvisatory and strategic rather than being governed by rules, and habitus is seen to operate at the level of a practical sense or logic, rather than through conscious discourse. The significance of Bourdieu's work for archaeologists is his emphasis on the ways in which habitus is partly encultured through the organisation of the built environment and the ordering of the material world. As Barrett has argued, this forces us to recognize the active involvement of material culture in the maintenance and reproduction of particular kinds of

⁴ A. Giddens, *The Constitution of Society: Outline of a Theory of Structuration* (London, 1984).

⁵ P. Bourdieu, *Outline of a Theory of Practice* (Cambridge, 1977); see also R. Jenkins, *Pierre Bourdieu* (London, 1992), for an accessible introduction to the idea of 'habitus'.

⁶ Giddens, *Constitution*, pp. 118–19; see also A. Giddens, 'Time, Space and Regionalisation', in *Social Relations and Spatial Structures*, ed. D. Gregory and J. Urry (London, 1985), pp. 265–95.

⁷ M. Johnson, *Housing Culture. Traditional Architecture in an English Landscape* (London, 1993); R. Gilchrist, *Gender and Material Culture. The Archaeology of Material Culture* (London, 1994); and P. Graves, 'Social Space in the English Medieval Parish Church', *Economy and Society* 18 (1989), 297–322.

⁸ Bourdieu, *Outline*, p. 72.

discourse and social power.⁹ Rather than being a passive record or mirror, it is the material fragments of the recursive social practices of the past.

Marx's assertion that individuals are constrained by circumstances 'directly encountered, given and transmitted from the past'¹⁰ has tended to result in the perception of medieval social identity as a mere function of economic relations: something fixed and immutable rather than something actively negotiated, contested and restructured through human agency and social practice.¹¹ An understanding of medieval workers' identities therefore has to be approached through an analysis of the material mechanisms and social strategies through which particular perceptions of status and discourses of labour were structured by labourers themselves. However, because these were always constructed at the intersection of multiple social roles and responsibilities, it is often difficult to separate a sense of professional identity from the institutions of the household, the neighbourhood and the wider social structures of the village or town. Scholars have therefore seized on the formal associations of urban craftsmen and women known as 'crafts' or 'mysteries' which emerged in towns across Europe during the later medieval period as a means of approaching the problem of the 'framing of labour'.¹²

The 'craft system' has been seen by some historians as a relatively unproblematic reflection of the economic or occupational structure of the medieval town.¹³ However, an alternative tradition of scholarship – and one which has attracted the attention of Marxist historians in particular – has stressed the political rather than the economic function of craft mysteries.¹⁴ In many ways this view of craft mysteries as 'a deliberate and artificial construct of . . . medieval urban authorities' imposed on an artisan 'class' by a medieval

⁹ J. C. Barrett, 'Fields of Discourse: Reconstituting a Social Archaeology', *Critique of Anthropology* 7 (1988), 5–16; see also J. C. Barrett, 'Contextual Archaeology', *Antiquity* 61 (1987), 468–73.

¹⁰ K. Marx, *The Eighteenth Brumaire of Louis Bonaparte*, 3rd edn (Moscow, 1983), p. 12.

¹¹ The understanding of social identity presented in this essay draws heavily on R. Jenkins, *Social Identity* (London, 1996).

¹² For recent overviews of European work on craft guilds see S. A. Epstein, *Wage, Labor and Guilds in Medieval Europe* (Chapel Hill, NC, 1991); and the essays in *Les métiers au Moyen Age: Aspects économiques et sociaux*, ed. P. Lambrechts et al. (Louvain la Neuve, 1994).

¹³ See, for example, E. Lipson, *The Economic History of England I: The Middle Ages*, 7th edn (London, 1937), pp. 384–5.

¹⁴ The origins of this view of craft guilds can be traced in the work of J. R. Green, *Town Life in the Fifteenth Century*, 2 vols. (London, 1894), I, 145–57; S. Thrupp, 'Social Control in the Medieval Town', *Journal of Economic History* 1 (1941), 39–52. They have been developed more recently in the work of R. H. Hilton, *English and French Towns in Feudal Society* (Cambridge, 1992), pp. 65–86; and H. Swanson, 'The Illusion of Economic Structure: Craft Guilds in Late Medieval English Towns', *Past and Present* 71 (1988), 29–48. See also H. Swanson, *Medieval Artisans: An Urban Class in Late Medieval England* (Oxford, 1989).

mercantile elite¹⁵ is a form of 'framing' labour, but one held to have little or no meaning for those categorized within it. The formalization of the system by civic authorities such as York is seen as an urban, mercantile attempt to control the fluid labour market of the late medieval town,¹⁶ whilst the artificial divisions created by the system are interpreted as a means preventing the development of class-consciousness and of excluding artisans from civic power.

This view of the craft system and the artisan class has been extended to the interpretation of their social and cultural practices. For example, the York cycle of 'mystery plays' has been interpreted as a 'topographical enactment of an increasingly wide gap between the artisanate and the mercantile oligarchy'.¹⁷ Beckwith has argued that the texts of the plays were used to contest mercantile power by constructing an alternative 'artisanal ideology . . . which placed an importance on manufacture . . . rather than on the control of exchange mechanisms'.¹⁸ The central problem of these interpretations is that they ignore the existence of inherent divisions *within* the artisan community in order to stress the cohesion of the artisan 'class'. They therefore gloss over the unequal power relations which existed within the household and the workshop, or between craftsmen of a similar profession but very different economic status. The interpretation of guildhalls presented in the rest of this essay will therefore engage with a very different view of craft guilds which has been eloquently expounded by Rosser.¹⁹ From this perspective crafts are seen as mechanisms through which medieval workers actively negotiated a sense of social identity and gained access to important mechanisms of credit and trust. This was particularly important in urban societies in which high immigration rates and a lack of dynastic continuity necessitated the constant re-negotiation of social and political boundaries, networks and relations.

In a town such as York, whose medieval prosperity was largely derived from the sheer variety of its trade specialisation and the strength of its manufacturing base, professional, working identities undoubtedly played a

¹⁵ Swanson, 'Illusion', p. 31.

¹⁶ For a detailed development of this idea see Swanson, *Artisan Class*, p. 31 and pp. 107–8. For a discussion of the relationship between the civic franchise and craft guilds see R. B. Dobson, 'Admissions to the Freedom of the City of York in the Later Middle Ages', *Economic History Review* 2nd ser. 26 (1973), 1–21; and for the significance of the Peasants' Revolt, see R. B. Dobson, *The Peasants' Revolt of 1381*, 2nd edn (Basingstoke, 1983).

¹⁷ S. Beckwith, 'Making the World in York and the York Cycle', in *Framing Medieval Bodies*, ed. S. Kay and M. Rubin (Manchester, 1994), pp. 254–76; and S. Beckwith, 'Ritual Theatre and Social Space in the York Corpus Christi Cycle', in *Bodies and Disciplines: Intersections of Literature and History in Fifteenth Century England*, ed. B. Hanawalt and D. Wallace (Minneapolis, MN, 1996), pp. 63–86 (pp. 74–5).

¹⁸ Beckwith, 'Making the World', p. 265.

¹⁹ Rosser, 'Crafts', pp. 8–11; and see also G. Rosser, 'Workers' Associations in Medieval Towns', in *Les métiers*, ed. Lambrechts et al., pp. 283–306.

prominent part in structuring relations not only between individual citizens but also between households, neighbourhoods and parishes. The connection between crafts and these local social groupings can clearly be seen in the tendency for crafts to create particular 'modes' or mechanisms of expression in the areas in which they lived and worked. Although not all crafts built their own halls, many maintained a space in which the administrative business of the craft could be discussed (which was often a room in a domestic or monastic building), as well as some form of devotional focus (which could be a light or chantry within a parish church or monastic chapel). During the fifteenth century this was often augmented by the addition of some form of charitable expression (often a *maison dieu*). There is a considerable degree of cross-over between the location of these 'modes of expression' and the 'occupational topography' of medieval York which has been established by Goldberg.²⁰

The significance of the guildhall was that it enabled crafts to bring these separate mechanisms together quite literally under one roof (Figure 4.1). But why did some crafts seek to have their own guildhall whilst others remained content to maintain their existing 'modes of expression'? The decision to build a guildhall cannot simply be interpreted as a reflection of economic wealth or status, since some of the wealthiest crafts in York such as the goldsmiths never had their own hall, whereas poorer guilds like the cordwainers maintained both a hall and *maison dieu*. Neither were guildhalls simply reflections of political power, for although the powerful mercers had their own guildhall, so did crafts like the butchers who played virtually no role in the civic government of medieval York.²¹ The answer to this question is complex, but the evidence of York's craft guildhalls suggests that the construction or appropriation of a guildhall was designed to emphasize an existing or construct a new sense of corporate identity during a period of institutional or economic change.²²

The late fourteenth century Trinity hall and the early fifteenth century St John the Baptist's hall in York are subtle examples of this point (Figures 4.2, 4.3).²³ These buildings were nominally constructed by religious fraternities, and previous interpretations have tended to stress the complete separation of

²⁰ P. J. P. Goldberg, *Women, Work, and Life Cycle in a Medieval Economy: Women and Work in York and Yorkshire c. 1300–1530* (Oxford, 1992), pp. 40–8.

²¹ Swanson, *Medieval Artisans*, pp. 170–1.

²² This is argument which can also be made for religious fraternity halls: see K. Giles, 'Guildhalls and Social Identity in Late Medieval and Early Modern York c. 1350–1630' (forthcoming D. Phil dissertation, University of York).

²³ For a detailed study of the mercers company in York see M. Sellers, *The York Mercers and Merchant Adventurers 1356–1917*, Surtees Society 129 (Durham, 1918); and L. Wheatley, 'The York Mercers Guild 1420–1501; Origins, Organisations and Ordinances' (unpublished M. A. dissertation, University of York, 1993). For the tailors see B. Johnson, *The Acts and Ordinances of the Company of Merchant Taylors in the City of York* (York, 1949).

these associations from the crafts of the merchant and tailors with which they became formally associated in the mid fifteenth century.²⁴ This connection is usually glossed over by historians however, or seen as a religious 'cover' for increasingly secular and proto-capitalist mercantile interests.²⁵ It is only recently that a critical understanding of the social and political significance of religious discourse and practice in rituals such as the fraternity feast and the Corpus Christi plays has emerged.²⁶ Moreover, testamentary evidence suggests that informal connections between the religious fraternities who built Trinity and St John the Baptist's hall may well have existed in the later fourteenth century.²⁷ The construction of a guildhall may well have been a symbolic expression of this association long before it was formalized in the mid fifteenth century.

Although their halls no longer survive, the decision of the butchers and cordwainers to construct their own guildhalls also appears to have been related to a desire to stress a sense of corporate identity. However, in these cases it appears to have been prompted by economic or professional concerns rather than to express close links with a religious fraternity. Previous scholars have stressed that the wealthy trade of the butchers were consistently excluded from civic government throughout the medieval period.²⁸ There were certainly tensions between the butchers and civic authority throughout the fifteenth century, and the construction of their hall might therefore be interpreted as an act of artisanal solidarity in the face of mercantile oppression. However, the assumption that all craftsmen desperately sought civic office and resented exclusion from it is problematic. It might well be that economic and commercial priorities took precedence over political ones for craftsmen like the butchers. It is surely no coincidence that over 146 new butchers took out the freedom between 1401–50. The guildhall may equally have been designed to symbolize the power of the existing craft to new immigrants and provide a space in which these new traders could be bound to the standards and working practices of the craft.

The cordwainers' hall in Hungate may also be interpreted as a symbolic attempt to reinforce craft identity at a time of professional change or insecurity. Throughout the later medieval period the cordwainers were engaged in a long running dispute with the tanners over the control of the supply of worked leather.²⁹ Despite the fact that some cordwainers were

²⁴ For the most recent synthesis on York's medieval fraternities, see D. J. F. Crouch, *Piety, Fraternity and Power: Religious Guilds in Late Medieval Yorkshire 1389–1547* (Woodbridge, 2000).

²⁵ See Sellers, *York Mercers*, for this view of the relationship between the mercers and their associated fraternity.

²⁶ Unpublished papers delivered by P. J. P. Goldberg and G. Rosser at the conference 'The Word on the Street', University of York, July 1998.

²⁷ Giles, 'Guildhalls'.

²⁸ Swanson, *Medieval Artisans*, pp. 170–1.

²⁹ Swanson, *Medieval Artisans*, p. 55.

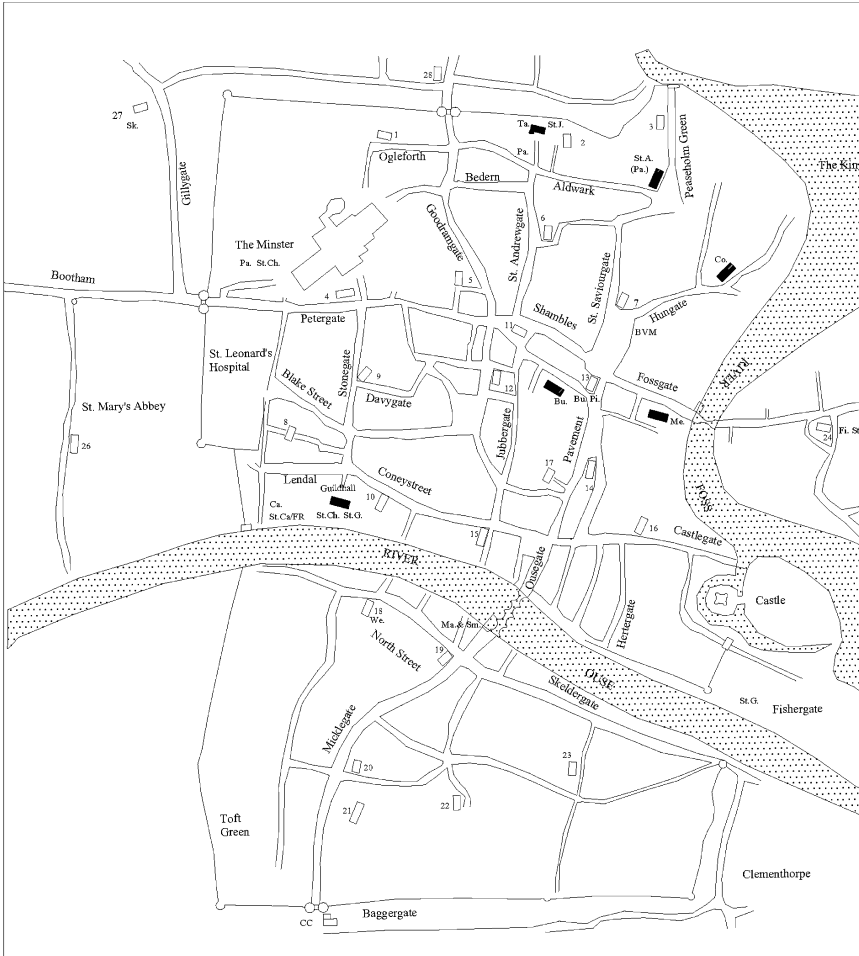


Figure 4.1: Map of fifteenth-century York showing the location of guildhalls, meeting places and devotional foci of craft mysteries and religious fraternities. (Map: Kate Giles)

The Archaeology of York's Medieval Guildhalls

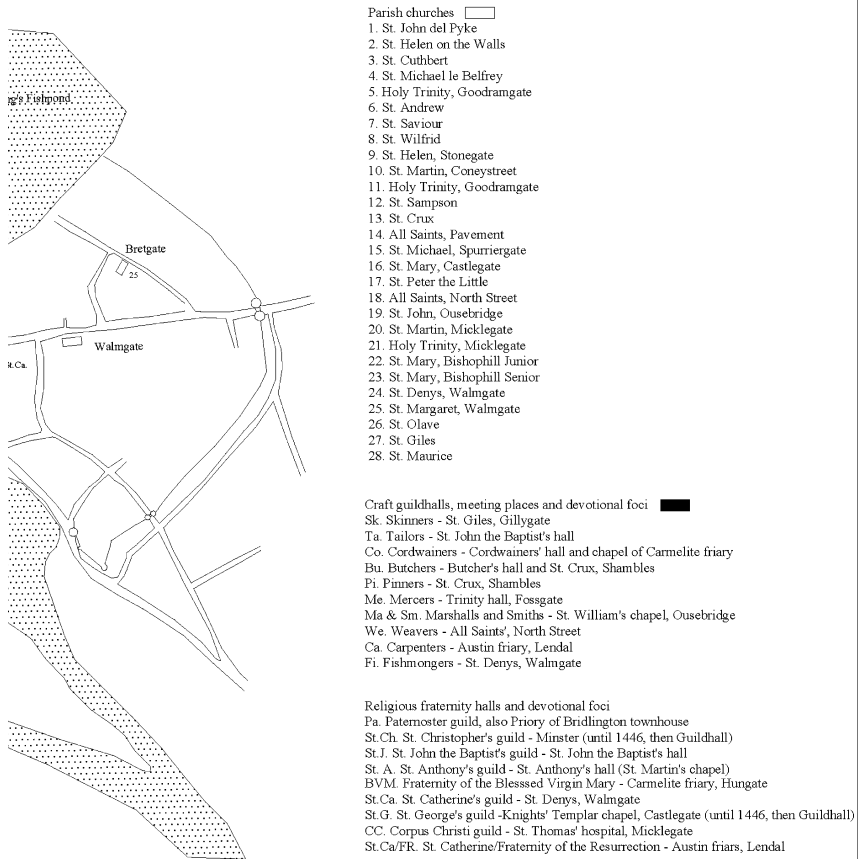




Figure 4.2: Trinity hall (the Merchant Adventurers'), Fossgate, York (exterior). (Photograph: Kate Giles)



Figure 4.3: St John the Baptist's hall (the Merchant Taylors'), Aldwark, York (exterior). (Photograph: Kate Giles)

individually prosperous and successful, as a craft they were always out-flanked by the more numerous and influential tanners. For example, between 1402 and 1423 the cordwainers were banned from carrying out the tanning process by statute, and after 1428 a leather sold was established in the common hall as a response to the ongoing conflict between the crafts. Conflict continued throughout the 1450s and the construction of a guildhall may have therefore been an attempt to boost the corporate identity of the craft in a period of political tension and economic difficulty.

Habitus and the Guildhall

Two inter-related processes can be identified within the craft guildhalls of medieval York. The first is the use of guildhalls to frame ideas about work and working identities by the craft guilds themselves. The second is the use of guild hospitals and chapels to frame perceptions of a particular social group which lay outside the urban working community; namely the poor. In both processes religious ideology and practice was used to structure and underpin these secular and political identities, and this highlights the significance of the connection and cross-over between crafts and their associated religious fraternities.

Guildhalls have traditionally been seen as derivations of domestic buildings, but they also had important spatial parallels with ecclesiastical, monastic and collegiate architecture. All of these buildings were characterized by a spatial paradox. The domestic hall and the naves of medieval parish, monastic or collegiate churches were open spaces which appeared to symbolize a holistic sense of community, harmony and equanimity; qualities which are often seen as characteristics of medieval society.³⁰ However, these spaces were also profoundly hierarchical. Domestic halls were characterized by a tripartite division in which a 'screens passage' separated the 'low' end of the hall (which usually contained a buttery and pantry) from the 'high' end of the hall (which contained a raised dais with solar and chamber beyond),³¹ whilst ecclesiastical buildings were also characterized by an east-west division of space, with visual emphasis being placed on the liturgical east end.³² Although these spatial hierarchies were functional, they also created mechanisms through which the relative social status of individual members of the household or church could be expressed.

It is worth highlighting the fact that it is by no means clear exactly how the Trinity and St John the Baptist's halls were shared between the religious

³⁰ For an important discussion and critique of the idea of 'community' see M. Rubin, 'Small Groups: Identity and Solidarity in the Later Middle Ages', in *Enterprise and Individuals in Fifteenth Century England*, ed. J. Kermode (Gloucester, 1991), pp. 132–50.

³¹ J. Grenville, *Medieval Housing* (Leicester, 1997), pp. 89–91.

³² G. H. Cook, *The English Medieval Parish Church* (London, 1954).

fraternities who built them and the secular mysteries of the mercers and tailors with which they became associated in the fifteenth century. The detailed analysis of accounts and inventories suggests that a considerable degree of cross-over existed not only in the membership of these institutions, but also their ritual and ceremonial activities. For example, the 1495 ordinances of the mercers' mystery ordered that 'ye sall worship iij solempne festes, that is to say, the feste of the Trinite, Assumpcionis, and Annunciationis of our Lady' in Trinity hall.³³ The fact that the tripartite division of the guildhall appears to have been used by both associations in similar ways suggests that the same kind of *habitus* was in operation in both fraternity and craft guildhalls as well as contemporary ecclesiastical and domestic buildings. This *habitus* was a practical understanding of the ways in which social status and identity could be structured through the use of space and material culture. It was underpinned by religious discourse and practice, and it was communicated through a series of signals which were embedded in the physical structure, spatial organization and fixtures and fittings of these buildings. An individual's ability to recognize, negotiate and exploit this therefore depended on his/her familiarity (or level of enculturation) with this *habitus*.

At one level the spatial paradox and tripartite division of guildhalls can be seen as a mechanism through which a sense of communal identity was structured in tension with a hierarchical theory of labour relations. In many ways this parallels contemporary craft ordinances, which stressed the community, harmony and fraternity of the craft at the same time as they emphasized social divisions between craft masters and their apprentices or journeymen.³⁴ A series of visual cues that articulated the tripartite arrangement of the guildhall and placed visual emphasis on the dais end were exploited by the guild elite to stress their status and authority over the rest of the craft. At Trinity hall, for example – which was used by the mystery of mercers – visual emphasis was placed on the dais end through aspects of timber frame, including the bay rhythm, roof and wall trusses and fenestration scheme (Figure 4.4). The dais bay of Trinity hall in York was longer and contains evidence for more substantial fenestration than the other bays of the hall. It was also framed by a series of crown post roof trusses which were placed on alternate tie beams in the hall, drawing the eye immediately towards the space in which the guild elite were seated.

This fixed elements of the timber frame were further enhanced by aspects of the fittings and fixtures of guildhalls. Contemporary and later inventories record the furniture used by the guild elite at the dais of Trinity hall: the two 'bordes' and five trestles 'for the dece'³⁵ and the tapestry or painted 'hallyng

³³ Sellers, *York Mercers*, p. 90.

³⁴ Rosser, 'Crafts', p. 7.

³⁵ Sellers, *York Mercers*, pp. 97–8.



Figure 4.4: Trinity hall (the Merchant Adventurers'), York (interior). (Photograph reproduced by permission of the Company of Merchant Adventurers, York)

of pykture belonging to the hy deyesse' in 1488.³⁶ It seems likely that the elaborate napery and costly pewter 'dublers, dishis, et salceres'³⁷ recorded in these inventories were also used during ceremonial occasions to enhance the prestige of those dining at the dais end. A hint that successive masters provided increasingly elaborate and prestigious artefacts for this purpose is indicated by a note in an inventory of the mercers that in 1488 'master Steffallay changed all the wessells before wrettyn in hys tyme att meclems [Michaelmas]'.³⁸ The masters and wardens of craft mysteries knew that being seated at the dais end of guildhalls during meetings and feasts associated them with a space reserved in other kinds of medieval building for particular forms of seigneurial or ecclesiastical authority. However, this spatial arrangement and ritual practice should not be seen as evidence that guildhalls were simply used to impose the status and authority of the guild elite on the rest of the craft. The spatial hierarchy of the guildhall could be negotiated and manipulated in multiple ways.

There is little doubt that the guildhall was a locale in which recent immigrants to the city and new members of the franchise could swiftly

³⁶ Sellers, *York Mercers*, p. 87.

³⁷ Sellers, *York Mercers*, p. 84 and p. 96.

³⁸ Sellers, *York Mercers*, p. 87.

establish their reputation and gain access to existing mechanisms of credit and trust. The York mercers' ordinances of 1495, for example, stipulated that any master setting up a new shop or warehouse was to register before the company in Trinity hall.³⁹ Being presented in the guildhall provided new craftsmen with an opportunity to publicly affiliate themselves to the standards and working practices of the craft. A similar argument can be made concerning the use of guildhalls to initiate apprentices. According to the mercers' ordinances, every new apprentice was to be brought before the master, constables and the rest of the company 'att Trinite hall' to swear 'uppon a bouke, that he sall be gode and trewe to his maister'.⁴⁰ At one level, this simply bound apprentices to the hierarchical labour relations of the workshop. However, it also provided them with access to the particular techniques and forms of knowledge which constituted the 'mystery' of the craft, and most significantly, to the social practices and material mechanisms through which habitus operated.

The importance of guildhalls in relation to the status and social role of women must also be considered. Authors such as Swanson, Kowaleski and Bennett have emphasized that craft associations did not represent the active role played by women in the household mode of production and that women appear to have played little role in craft associations because they rarely held guild office.⁴¹ However, as this essay has emphasized, craft associations were not intended to be mirrors of the working community or reflections of the production process. Their potential lay in the fact that they reinforced and reproduced the normative social values of the household, workshop, parish and neighbourhood, whilst at the same time providing access for their members to networks and relationships outside these social institutions. Women may well have exploited the fact that the guildhall provided them with a space in which they could actively negotiate a sense of identity and status based on their professional skills and not just their familial status. Moreover the guildhall enabled them to structure this process within a 'public' space which continually projected an image of high moral standards and personal reputation. The cross-over between crafts and religious fraternities may have proved of considerable value in this respect.

At present, the use of guildhalls to structure, contest or negotiate existing aspects of working identity and status remains controversial and to a certain extent conjectural. However, although guildhalls were certainly normative spaces in which particular ideas about work and working identities were framed, they were also open to manipulation and exploitation by the members of craft mysteries. The structure and spatial organisation of the

³⁹ Sellers, *York Mercers*, p. 91.

⁴⁰ Sellers, *York Mercers*, p. 94.

⁴¹ Swanson, 'Illusion', p. 40; M. Kowaleski and J. M. Bennett, 'Crafts, Guilds and Women in the Middle Ages: Fifty Years after Marian K. Dale', *Signs: Journal of Women in Culture and Society* 14 (1989), 474–88 (p. 477).

hall acknowledged the fact that medieval society was characterized by internal hierarchies and social divisions. But its success lay in the fact that it provided individuals with a material mechanism through which status and identity could be actively negotiated. The physical 'framing' or presentation of the body through aspects of dress, gesture and language was central to this process.⁴² Gaining physical access to those higher up the scale not only facilitated verbal access to mechanisms of credit and trust but also allowed the individual to be associated in the eyes of others with influential contacts. There were two processes of framing at work here: the individual's framing of him/herself, and the framing of individual members of the craft by the craft community itself.

Many of the practices of craft mysteries, such as the provision of charity for members who had fallen on hard times, arbitration between members who were in conflict with each other and the prosecution of those who brought themselves or others into disrepute, can be seen as part of a wider attempt to reserve the public reputation and respectability of the craft as a whole. Although the crafts acknowledged internal divisions between their members, their over-riding concern was to preserve the dignity and 'mystery' of the craft in the eyes of the wider civic community. The guildhall was a material mechanism through which this tension between individual identity and the wider structures of society could be structured and maintained. This was not something which was simply imposed from above. Medieval labourers knew that civic life was a 'game of appearances',⁴³ and it should not surprise us that many therefore actively structured a sense of identity within the rules of that game.

Guild hospitals and the framing of the poor

It can be argued that late medieval society was characterized not by a polarization of the 'artisan' and 'mercantile' class but by the desire of workers to stress their distinction from those on the margins of society: namely, the poor. Shifts in attitudes towards the poor emerged as a consequence of the 'problem of labour' in the fourteenth century. The Ordinance and Statute of Labourers of 1349 and 1351 respectively drew distinctions between those genuinely 'impotent to serve' and able-bodied beggars, and forbade the giving of alms to the latter.⁴⁴ These distinctions were reiterated in the sumptuary and labour legislation which followed the plague and the

⁴² Bourdieu places considerable emphasis on the presentation of the body within habitus: see Jenkins, *Pierre Bourdieu*, p. 75.

⁴³ B. R. McRee, 'Religious Guilds and the Regulation of Behaviour in Late Medieval Towns', in *People, Politics and Community in the Later Middle Ages*, ed. J. Rosenthal and C. Richmond (Gloucester, 1987), pp. 108–22 (p. 118).

⁴⁴ P. Slack, *Poverty and Policy in Tudor and Stuart England* (Harlow, 1988), p. 22.

Peasants' Revolt of 1381. During the fifteenth century these attitudes were further transformed by the widespread economic decline suffered by many provincial towns.⁴⁵ The general and indiscriminate provision of outdoor relief or alms appears to have been replaced by a 'more directly targeted and closely scrutinized form of charitable giving' which was closely linked to the supposed 'worthiness' of the recipient.⁴⁶

Guildhalls were not only locales in which individuals framed their membership of the working community and civic economy; they were also used to draw a distinction between the 'worthy' poor and others on the margins of civic society. This was achieved through the creation of a symbolic and spatial contrast between those who contributed to the economic and political welfare of the community through their physical and economic labour (the members of the crafts themselves) and those who contributed to its social welfare through a form of spiritual labour (the inmates of the hospital). The powerful qualities of the intercessory prayers of the poor were emphasized by contemporary sources such as *Dives and Lazarus*.⁴⁷ It has long been recognized that medieval hospitals and maisons dieu were therefore a species of chantry designed to construct spiritual merit on behalf of their founders, and guildhalls are no exception to this rule.⁴⁸ However, contemporary sources also made it explicit that effective intercession was dependent on the individual being in a state of spiritual grace.

Medieval testators were therefore faced with the need to establish the spiritual 'worthiness' of the recipients of their charity, as well as the desire to ensure that their charitable acts were reciprocated through intercession. This must have been difficult in institutions such as maisons dieu, in which inmates were expected to support themselves by begging,⁴⁹ or in chantries, which were often temporary institutions whose chaplains were concerned with more than one patron. The significance of the 'wave' of foundations of guild hospitals identified by Cullum in mid fifteenth century York⁵⁰ was that it appears to have coincided with a decline in the foundation of perpetual

⁴⁵ For a general overview of this highly contentious issue see A. Dyer, *Decline and Growth in English Towns, 1400–1640* (Basingstoke, 1991).

⁴⁶ M. Rubin, 'The Poor', in *Fifteenth Century Attitudes*, ed. R. Horrox (Cambridge, 1994), pp. 169–182; M. Rubin, 'Development and Change in English Hospitals 1100–1500', in *The Hospital in History*, ed. L. Granshaw and R. Porter (London, 1989), pp. 41–59. See, however, the important comments in P. Cullum 'Fore Pore People Harbeles'; What Was the Function of the Maisonsdieu?', in *Trade, Devotion and Governance: Papers in Later Medieval History*, ed. D. J. Clayton, R. G. Davies and P. McGiven (Stroud, 1994), pp. 36–54.

⁴⁷ E. Duffy, *The Stripping of the Altars. Traditional Religion in England 1400–1580* (London, 1992), pp. 360–1.

⁴⁸ N. Orme and M. Webster, *The English Hospital, 1070–1570* (London, 1995), p. 49; Rubin, 'Development', p. 55; M. Carlin, 'The English Medieval Hospital', in *Hospital In History*, ed. Granshaw and Porter, pp. 21–38; Cullum, 'Fore Pore People', p. 51.

⁴⁹ Cullum, 'Fore Pore People', pp. 46–7.

⁵⁰ Cullum, 'Fore Pore People', p. 45.

chantries, a phenomenon which has previously been interpreted as evidence of economic decline.⁵¹ By fusing the dual functions of maison dieu and chantry into a single coherent architectural unit, however, the guild hospital-chapel therefore offered members a means of internalizing their acts of charity and ensuring the maximum spiritual reward for their investment.

The material mechanism through which inmates were incorporated into this chantry community was the spatial relationship between the guild hospital and chapel, as at Trinity hall (Figure 4.5). The proximity of medieval hospitals and chapels is usually presumed to reflect contemporary belief in the spiritual and medicinal benefits of the mass, an interpretation supported by the stipulation in numerous hospital licences that inmates should be able to see the elevation of the Host from their beds.⁵² Hospital inmates were therefore encouraged to participate visually and orally in the Mass on the certain grounds that spiritual, if not physical, benefits would be imparted by this process. For founders, this had considerable benefit since the amelioration of their spiritual welfare was undoubtedly also designed to improve the quality of the prayers. But the real significance of the spatial relationship in guildhalls like those of Trinity hall was that it forced inmates to participate in the liturgical round of intercessory practices that occurred within the guild chapel.

A series of visual and oral cues signalled the transformation of the hospital-chapel into a ritual space. These included the burning of lights and incense, the ringing of sacring bells and ritual chanting, which culminated in the elevation of the Host at the high altar.⁵³ During this moment of elevation, moreover, the symbolic connection between the Eucharist and the Last Supper was used to reinforce the social status of the guild elite. A clear spatial connection existed at all three of York's surviving fraternity halls between the dais end of the hall and the chapel. At the moment of elevation, it was therefore not only the fraternal community of the dead with which the guild elite were associated, but the spiritual fraternity of the Apostles themselves. Late medieval eschatology was also dominated by the belief that at the Day of Judgement men and women would be judged not only on the piety of their souls but also by their actions to the poor and weak whilst living.⁵⁴ This placed considerable emphasis on carrying out highly visible acts

⁵¹ R. B. Dobson, 'The Foundation of Perpetual Chantries by Citizens of Later Medieval York', *Studies in Church History* 4 (1967), 22–38; R. B. Dobson, 'Citizens and Chantries in Late Medieval York', in *Church and City 1000–1500: Essays in Honour of Christopher Brook*, ed. D. Abulafia, M. Franklin and M. Rubin (Cambridge, 1992), pp. 311–32 (p. 327).

⁵² For the panacean qualities of the Host see C. Rawcliffe, *Medicine and Society in Later Medieval England* (Basingstoke, 1997), p. 19; M. Rubin, *Corpus Christi: The Eucharist in Late Medieval Culture* (Cambridge, 1991), pp. 219–20.

⁵³ Rubin, *Corpus Christi*, pp. 55–61.

⁵⁴ Matthew 25; see Duffy, *Stripping*, pp. 357–68.



Figure 4.5: Trinity hall (the Merchant Adventurers'), York, undercroft (interior). (Photograph reproduced by permission of the Company of Merchant Adventurers, York)

of charity, and the 'seven corporal acts of mercy' (feeding the hungry, giving drink to the thirsty, clothing the naked, visiting the sick, relieving the prisoner, housing the stranger and burying the dead) became one of the most powerful expressions of this belief in late medieval culture and society. Symbolic provisions of the acts were made by testators at the point of death, whilst others signalled their successful execution of them in life by depicting them in a variety of visual media such as wall paintings or stained glass. Guild hospitals provided the members of crafts and fraternities with an institutionalized expression of this form of charity in which inmates quite literally embodied the corporal acts of mercy. The bodies of the poor were therefore both symbols and resources, made physically distinct by their infirmity but spiritually valuable by virtue of that very fact.

Conclusion

The 'problem of labour' was not limited to the immediate aftermath of the Black Death and the Peasants' Revolt, but was something which concerned civic authorities throughout the later medieval period. This essay has rejected the idea that the craft system was simply a mercantile and civic response to this problem. It has suggested that the material culture and social practices of craft mysteries were actively used by artisans to structure and negotiate attitudes towards labour and labourers which emerged as consequences of the socio-economic shifts of the fourteenth and fifteenth centuries. The

medieval guildhall and its associated hospital and chapel can therefore be understood as one of the most important material mechanisms through which working identities were framed by medieval workers themselves. Nevertheless, although this essay has stressed the internal diversity of guilds and the opportunities for human agency which guildhalls afforded, they were still locales which were used to reproduce an essentially normative, hierarchical understanding of labour and labour relations. This enabled members to stress their membership of the civic community but also to frame those on the margins of civic society within these discourses of labour.⁵⁵ Guild hospitals were therefore also the material mechanisms through which the spiritual labour of the 'worthy poor' was converted into social and cultural capital by the craft mysteries of later medieval York.

⁵⁵ J. C. Barrett, 'Fields of Discourse: Reconstituting a Social Archaeology', *Critique of Anthropology* 7 (1988), 5–16; see also J. C. Barrett, 'Contextual Archaeology', *Antiquity* 61 (1987), 468–73.

The Problem of Labour in the Context of English Government, c. 1350–1450

CHRIS GIVEN-WILSON

Labour

The ‘problem of labour’ loomed large in the minds of the English governing classes during the century or so after the Black Death. The root of the trouble lay, of course, in the demographic and occupational crisis brought on by the terrible pestilence of 1348–9, repeated at regular intervals through the later fourteenth and fifteenth centuries. With the early fourteenth-century surplus of labour now transformed into a shortage, and the consequently increased potential for the labouring classes to demand higher wages and greater flexibility in working practices, the ability of landlords and employers to impose the sort of conditions which would maximise their profits and ensure the co-operation of their tenants and employees was under real threat. The government – which quite unashamedly represented the interests of the landholding class – clearly saw what it repeatedly referred to as ‘the malice of servants’ as a serious challenge to its authority, and its reaction was gradually to assume greater and greater control over the labour market.

The principal medium through which this control was formulated was parliamentary legislation. More than a third of the seventy-seven parliaments held between 1351 and 1430 passed legislation relating to labour, and further acts were passed in the mid 1440s and again in the 1490s.¹ The underlying aims of this legislation were threefold: first, to restrict wages from rising above whatever levels were deemed at the time to be acceptable; secondly, to

¹ The references to the most important pieces of legislation are as follows: *Statutes of the Realm*, 11 vols. (London, 1810–28) [henceforth SR], I, 307 (1349), 311 (1351), 327 (1352), 350 (1357), 366 (1361), 373–5 (1362), 388 (1368); II, 11 (1378), 32 (1383), 56–7 (1388), 63 (1390), 137 (1402), 157–8 (1406), 176 (1414), 196 (1416), 225 (1423), 227 (1425), 233–5 (1427), 244 (1429), 337 (1446), 585 (1495), 637 (1497). For more extended discussion of this legislation, see C. Given-Wilson, ‘Service, Serfdom and English Labour Legislation, 1350–1500’ (forthcoming). For the legal background to some of the ideas discussed in this paper, see also R. C. Palmer, *English Law in the Age of the Black Death, 1348–1381* (Chapel Hill, NC, 1993).

restrict labourers' mobility, in order to prevent them scouring the vicinity for higher wages or better conditions; and thirdly, to enforce working contracts on terms favourable to employers rather than employees, which usually meant for longer rather than shorter periods of time (although not in the building trade, where demand for labour was less predictable, and employers tended to favour short-term contracts).²

All three of these aims had been foreshadowed in the first Ordinance of Labourers, issued by the council in June 1349, at the very moment when the country was in the grip of the first outbreak of plague, and when, therefore, the holding of a parliament was deemed inadvisable. When, in February 1351, parliament did eventually meet, this Ordinance was reissued (with significant modifications) as a statute, and there is no doubt that during the following decade strenuous efforts really were made to enforce it.³ (This does not of course mean that they were always successful: the fact that 7,556 people in Essex – probably a quarter of the labouring population of the county – were fined for taking excessive wages in 1352, suggests that what were commonly being enforced was not the terms of the statute but its penalties; one can only presume that those who thus broke the law considered it worth their while to do so: in other words, that the fine cost them less than the excess.)⁴ But what of the next ninety years? Confirmations or modifications of the statute of 1351 were issued in 1354, 1361, 1368, 1378 and 1388. After this, the statute of 1388 became the basis of most subsequent legislation, being confirmed and/or revised in 1390, 1406, 1414, 1423, 1429 and 1446 – although these are only the major legislative enactments, and many subsidiary laws were issued in intervening years.⁵ The fact that this legislation needed to be repeated with such frequency over the succeeding century is sometimes taken as evidence that it was ineffective. However, the labour laws were not simply confirmed over and over again; they were, in fact, constantly debated and modified, and although several of the resulting enactments *begin* with a clause confirming the earlier statutes, they then go on to proclaim amendments or extensions to the legislation.

Three questions in particular saw repeated changes of policy. First, there was the question of who should be responsible for determining wage-rates. The statutes of 1351 and 1388 both set a national scale of wage-rates, but in 1390 (a year of both plague and famine) it was decided to reverse this policy

² See, e.g., the statute of 1361: *SR*, I, 366.

³ B. H. Putnam, *The Enforcement of the Statutes of Labourers*, Columbia University Studies in History, Economics and Public Law 32 (New York, 1908).

⁴ London, Public Record Office, E 137/11/2. For analysis, see L. Poos, 'The Social Context of Statute of Labourers Enforcement', *Law and History Review* 1 (1983), 27–52.

⁵ There were also numerous occasions, especially during the 1370s, when petitions requesting the revision or extension of the labour laws were requested by the commons, but no statute resulted: see, e.g., *Rotuli Parliamentorum*, 6 vols. (London, 1769–83) [henceforth *RP*], II, 312, 319, 332, 340–1; III, 17, 45–6, 65.

and in future to allow the justices of the peace in each county, and the mayor and bailiffs in each town, twice a year, to set the wages applicable in that town or county, in accordance with the current prices of grains and other victuals in their areas. This arrangement was repeated in 1427, but in 1446, and again in 1495, further attempts were made to set national scales.

Secondly, there was the difficult question of who should be punished for breaches of the statutes. The ordinance of 1349 had stipulated that both employers and employees – those who paid or offered excessive wages, as well as those who demanded or received them – should be punished. The statute of 1351 said nothing about penalties for employers, but in 1388 these were re-introduced, only to be retracted once more in 1402 (despite the request of the commons to the contrary). Twice more (in 1414 and 1423) they were re-introduced, and twice more lifted (in 1416 and 1427). Clearly this was an issue on which opinions were divided – a reflection no doubt of the intensity of the competition for labour, with employers having little option but to offer higher wages in order to secure workers. Generally speaking, it seems to have been the commons who were keener for penalties to be imposed upon employers as well as employees, despite the fact that this might act as a disincentive to employers to present their workers for breaches of the statute. However, when they asked for employers to be punished, the commons were probably not thinking of themselves – the landholding class – but of the ‘kulaks’ and other villagers of much the same status as the labourers whom they employed, who usually required labour only on a casual basis but were prepared to pay over the odds to get it. The government, on the other hand, probably reasoned that if the legislation was to be effective at all, employers of all kinds should be encouraged to present, without fear of personal loss.

Thirdly, there was the question of what was to be done with the fines accruing from enforcement of the legislation. During the 1350s these were for the most part set aside as contributions to the triennial tenths and fifteenths, with the fines levied on individuals within each hundred or village being set against the contribution at which that village or hundred was assessed for the tax. In Essex in 1352, for example, £675 out of the county’s subsidy assessment of £1,235 (about 55 per cent) was met from fines on labourers – which, as L. R. Poos has pointed out, gave villagers ‘profound financial incentives towards vigorous statute enforcement’.⁶ However, these arrangements were not continued during or after the 1360s, and an attempt in 1377 to establish the idea that fines for labour offences should be set aside as a contribution to the war effort seems to have been short-lived. Nevertheless, the laws continued to enunciate the general principle that the profits should be shared between the king and the person who sued, thus providing additional incentives for villagers and townsmen to present their neighbours.

⁶ Poos, ‘Social Context’, pp. 44 and 50; Putnam, *Enforcement*, pp. 100–49.

The labour laws of the 1360s to the 1440s did not, therefore, consist simply of the mantra-like repetition of earlier enactments, but instead reveal ongoing tensions and disagreements over the scope and thrust of the legislation. In part, no doubt, this reflects the problems involved in attempting to enforce legislation of such all-embracing scope. However, both the statutes and the petitions which lay behind them also reveal longer-term shifts in attitudes towards labour. On the question of compulsion to work, for example, the line taken in the legislation grew steadily more directive. The ordinance of 1349 had said that all able-bodied persons under the age of sixty were to be 'bounden to serve him which so shall him require', but the statute of 1388 – adopting some of the ideas put forward by the commons in their *grant bille* of 1376 – went considerably further than this:⁷ migrant servants and labourers were now to be forcibly returned to their home villis, where they were to work at whatever occupation they had formerly undertaken; any child who had worked on the land up until the age of twelve was forbidden subsequently to take up any trade or craft; and artificers and craftsmen whose products were not in demand at harvest time were to be compelled to work in the fields. Yet even these measures were evidently ineffective, for in 1406 it was decreed that parents should not be permitted to put their children into apprenticeship, or any other urban-based occupation, *at any age*, unless they could prove that they had at least twenty shillings of land or rent a year. Rather, children were to be 'put to serve at such labour, be it within city or borough or without, as their said father and mother used, or other labours as their estate requireth';⁸ and in 1446 the justices of the peace were given the power to take any servants whom they deemed not to be gainfully employed out of the service of their masters and compel them to serve others 'in the occupation of husbandry'. If they refused, they were to be treated as vagabonds.

This final clause is instructive, for it was the laws against vagrancy which gave much of the labour legislation its teeth. There was, of course, nothing new about the notion of the 'suspicious stranger',⁹ but in the new, labour-starved world of the late fourteenth century, it is hardly surprising that measures against those who were perceived to be idle layabouts should not simply be renewed but also considerably stiffened. It was during the 1370s that these measures really acquired a new edge, as well as a new language. The *grant bille* of 1376 complained of 'idle and vicious' labourers who had

⁷ RP, II, 340–1.

⁸ This cannot have been entirely ineffective, since the Londoners (in 1429) and the citizens of Norwich (in 1495) both petitioned for exemption from it: RP, IV, 354; SR, II, 248 and 577.

⁹ See, e.g., the legislation of 1285 and 1331: *English Historical Documents 1189–1327*, ed. H. Rothwell (London, 1975), pp. 461 and 842; SR, I, 268. And see also R. W. Kaeuper, *War, Justice, and Public Order: England and France in the Later Middle Ages* (Oxford, 1988), p. 172.

become wandering beggars, 'staffstrikers' and 'anonymous fugitive servants', and it was suggested that they be seized throughout the realm and placed in the stocks or in prison until they were prepared to return to their homes and labour in accordance with the statutes. If they attempted to maintain their anonymity, they were to be kept on bread and water until they revealed their own names, the name of the master whom they had previously served, and the counties and hundreds from which they came. Despite further petitions on the same subject in the parliaments of 1377, 1378 and 1379,¹⁰ it was only in 1383 that a major legislative enactment was passed: vagrants were now to be compelled to find sureties for their good behaviour, and imprisoned if they failed to do so.¹¹ Not until 1495, when Henry VII declared his wish to bring his subjects to peace and security 'by softer means than by such extreme rigour', was this statute repealed.¹² In the meantime, however, it had been substantially extended. The 1388 Statute of Cambridge obliged all those found wandering outwith their hundreds or wapentakes to carry letters testimonial, issued under the supervision of the justices of the peace, certifying the reasons for their travels; any who failed to do so, or whose letters were forged, were to be condemned to the stocks or to forty days imprisonment.¹³ Despite further legislation on the subject in 1414 and 1446, it was the Statute of Cambridge which really established the ground rules for dealing with the problem. At the same time, moreover, the definition of vagabondage gradually expanded. Thus in 1446 it was decreed that any man who had no land of his own, but who refused to accept a contract for a full year's work, was to be declared a vagabond and dealt with accordingly, and it was simultaneously decreed that if the justices of the peace ordered a servant to leave one master and serve another who, in their opinion, had greater need of his services, and if he refused, he too was to be declared a vagabond.¹⁴ Thus were elided the three evils of vagrancy, improper employment, and short-term contracts.

The language of this legislation was uncompromising, and its scope breathtaking. It spoke repeatedly of workers who were 'willing rather to beg in idleness than by labour to get their living'; of 'the malice of servants'; of labourers 'giving themselves to idleness and vice, and sometimes to theft and other abominations'. Yet this was not criminal legislation in the accepted sense, but a policy designed to control that most basic and legitimate of human occupations – work – the justification for which lay in (to quote the

¹⁰ RP, II, 332 and 340–1; III, 17, 45–6, 65.

¹¹ SR, II, 32.

¹² SR, II, 569.

¹³ PRO, C 255/15 is a file of returns made by the sheriffs of fourteen counties testifying that the seals for sealing these letters had indeed been made, one for each hundred in the county. Thus fifteen had been made in Worcestershire, twenty-three in Yorkshire, nineteen in Somerset and Dorset, and so forth.

¹⁴ SR, II, 337.

1349 ordinance) 'the necessity of masters, and great scarcity of servants'. It is, of course, commonly assumed that these restrictions had little effect, and there is no doubt, for example, that, generally speaking, wages rose substantially between 1350 and 1450. On the other hand, one is bound to wonder how much higher they might have risen in a free market.¹⁵ The labour legislation of the years 1350–1450 was an exercise in crisis management. It did not solve the crisis, but it very probably helped to contain it.

Lollardy

The 'problem of labour' also needs to be seen in the context of the more general development of English government at this time. The demographic crisis was far from being the only challenge to the authority of the English ruling classes at this time, nor was it alone in prompting them to search for measures which, taken together, led to significant innovations in the means by which, in theory at least, they could tighten their grip over the populace at large. Equally threatening to the authorities – or so, at least, they seem to have thought – was the Lollard movement of c. 1370–1420. As will be seen, there were significant similarities between the ways in which the government reacted to the labour problem and the Lollard problem, but first something must be said about the nature of the movement which provoked that reaction.

Thanks to the work of Anne Hudson and Michael Wilks in particular, understanding of the origins and aims of the so-called Lollards has undergone radical revision over the past twenty years. Far from representing the incoherent and largely off-stage carping of – for the most part – the little people, Lollardy is now increasingly seen as a movement which directed its appeal first and foremost to the king and the secular elite, which (until 1414, at any rate) found substantial support among the landholding classes, and which advocated a coherent and radical programme of Church reform, one which truly merits description as 'the premature reformation'.¹⁶ That, it is now argued, is what made it so dangerous to the Church. On the other hand, it is undeniable that, numerically, Lollardy drew its greatest support from sections of society below the landholding classes – artisans and poor priests especially – a fact which allowed the authorities of the day to present it as yet another in the gamut of threats from the lower orders, and hence to react accordingly. This is an important point to remember. It is not, in fact, the aims

¹⁵ See the comments of J. Hatcher, 'England in the Aftermath of the Black Death', *Past and Present* 144 (1994), 3–35.

¹⁶ A. Hudson, *The Premature Reformation* (Oxford, 1988); cf M. Wilks, 'Predestination, Property and Power: Wyclif's Theory of Dominion and Grace', *Studies in Church History* 2 (1965), 220–36; M. Wilks, 'Wyclif and the Great Persecution', *Studies in Church History* 10 (1994), 39–63.

and origins of Lollardy, but the measures taken to deal with it, that this paper is chiefly concerned with, but there is no doubt that the measures taken to suppress it were measures which, by and large, were directed against the lower orders of society. It was this gap between perception and reality – or, it might be truer to say, between what was perceived as politically possible, and what really needed to be done – that for so long beguiled historians of Lollardy into thinking that it was primarily a movement which was both directed at, and drew its strength from, the powerless and the poor.

Equally significant is the fact that it was the secular authorities who assumed the responsibility for enforcing these measures. What this meant is that religious conformity increasingly became a secular concern. According to Jeremy Catto:

From the Leicester parliament of 1414 until the triumph of toleration in the eighteenth century, religion was established and enforced by public authority, and dissentient voices subjected to the rigours of statutory felony. By contrast, before 1400 religion was outside the competence of the secular power, and after 1800 would become a matter of indifference to the cabinets of Europe.¹⁷

Perhaps this is a slight exaggeration, but it is not a gross one, at least as regards England. It was a process which began in earnest in 1382, in the aftermath of the great revolt.¹⁸ At the 'Earthquake Council' of that year, the bishops were ordered to make enquiries in their dioceses about unlicensed preachers, who were said to be roaming the countryside in greater numbers than ever, to 'engender discord and dissension between divers estates of the realm, as well spiritual as temporal, in exciting of the people, to the great peril of the realm'. As has often been pointed out, it was this alleged association of heresy with sedition which was crucial to the enlisting of secular authority in the fight against Lollardy. In the parliament that followed, the chancellor was ordered to issue commissions against such preachers when requested by the bishops to do so, and the sheriffs and other royal officers were empowered to arrest all such preachers and those who maintained them.¹⁹ Further powers, especially in relation to the unearthing of heretical writings, were assumed by the king's council in 1388.²⁰ Despite this, for the next twenty years or so Lollards were able to act with remarkable freedom, holding public demonstrations in London, appearing in parliament to answer their accusers, importuning the commons with their 'Twelve Conclusions', and so forth.²¹

¹⁷ J. Catto, 'Religious Change under Henry V', in *Henry V: The Practice of Kingship*, ed. G. L. Harriss (Oxford, 1987), pp. 94–115 (p. 97).

¹⁸ H. G. Richardson, 'Heresy and the Lay Power under Richard II', *English Historical Review* 51 (1936), 1–28.

¹⁹ SR, II, 25.

²⁰ Richardson, 'Heresy and the Lay Power', p. 24.

²¹ See, e.g., *Johannis de Trokelowe et Henrici de Blaneфорde Chronica et Annales*, ed. H. T.

There was certainly nothing 'underground' about much of the Lollard activity of Richard II's reign.

However, the first twenty years of the fifteenth century marked the end of this phase of toleration. The statute of 1401, as well as introducing death by burning for obstinate heretics, also ordered a clampdown on Lollard schools, books, conventicles and preachers; it was decreed that in future no person could preach either publicly or privately without a licence from the bishop, that no-one should write or teach anything 'contrary to the Catholic Faith or the Determination of the Holy Church . . . or in any wise hold or exercise schools'.²² This was followed firstly by Archbishop Arundel's constitutions – drafted in 1407 but not formally issued until 1409 – and then, in the aftermath of the Oldcastle revolt, by further legislation in 1414 and 1416. The 1414 statute again broke new ground, extending significantly the powers of royal justices and justices of the peace to deal with suspects, and for the first time making the investigation of heresy the business of *all* royal officials. 'In effect' – to quote Edward Powell – 'heresy was created a felony, a breach of the king's peace, as well as an ecclesiastical offence.'²³ Two years later, convocation decreed that in parishes where it was suspected that heretics were harboured, three or more men of good repute were to be sworn to disclose their names and whereabouts.²⁴ With the Oldcastle revolt having definitively equated heresy and treason, and with upper-class support for Lollardy thus virtually extinguished, the lay authorities now gave their unequivocal support to the Church; these measures produced a significant rise in the number of Lollard prosecutions, so that by 1420 parliament could be informed that it had been 'destroyed and abated'.²⁵ This too was an exaggeration, of course, but not an incredible one.

Simultaneously with this drive against Lollardy, Henry V also conducted a campaign to enforce orthodoxy in public worship. His emphasis on music, new saints, the Sarum Use, and forms of private worship were designed to attest 'the vitality and importance of public communal worship in the Church's response to Lollardy',²⁶ while the strikingly generous endowment

Riley, *Rolls Series 28*³ (London, 1866), pp. 173–83; *The Westminster Chronicle 1381–1394*, ed. and trans. L. C. Hector and B. F. Harvey (Oxford, 1982), pp. 318–20; H. Knighton, *Chronicle, 1337–1396*, ed. and trans. G. H. Martin (Oxford, 1995), pp. 432–42; *The Chronicle of Adam Usk 1377–1421*, ed. and trans. C. Given-Wilson (Oxford, 1997), pp. 6–8; *Historia Vitae et Regni Ricardi Secundi*, ed. G. B. Stow (Philadelphia, 1977), pp. 102–4 and 125–6. It is worth noting, incidentally, that political upheavals such as those of 1388–89 and 1399–1401 were especially liable to produce heightened Lollard activity, suggesting that they hoped to capitalise on government vulnerability at such moments in order to pursue their aims.

²² SR, II, 125–8.

²³ E. Powell, *Kingship, Law, and Society: Criminal Justice in the Reign of Henry V* (Oxford, 1989), p. 170.

²⁴ Powell, *Kingship, Law, and Society*, p. 162.

²⁵ RP, IV, 123.

²⁶ Catto, 'Religious Change', pp. 107–9.

of his new religious foundations at Syon and Sheen left little room for uncertainty as to his views on the disendowment clamour of the previous forty years. And yet – welcome as all this doubtless was to the ecclesiastical hierarchy, and although it meant that the first twenty years of the fifteenth century did indeed witness the triumph of orthodoxy – the Church had paid a price, and that price was ‘a perceptible increase in royal authority’,²⁷ not only over the Church but, through the Church, over the nation at large.

This was not simply the consequence of the premature reformation and its inevitable counter-reformation. The universal, institutional Church had been under pressure in England for several decades before Lollardy came into the open. The suspicion with which the English viewed an Avignon-based papacy, epitomised in the popular literature of the time and in the Statutes of Provisors and Praemunire of the 1350s and 1360s, is sufficient testimony to that. The secularisation of parliament during the first half of the fourteenth century, during which the lower clergy were hived off (largely at their own wish, ironically) into the much less powerful forum of convocation, also marked a significant decline in clerical influence at the highest political levels.²⁸ Thus when, in the 1370s and 1380s, the challenge of Lollardy confronted the Church, and the Church itself was plunged into a new crisis of authority with the outbreak of the Great Schism, it was only by appealing to the secular powers that it was able to respond. The irony of the situation between about 1370 and 1410 is that both sides were appealing to the king and aristocracy: the Lollards and their supporters for reform, the ecclesiastical establishment for retrenchment. Up until about 1400 it was possible to sit on the fence; even as late as 1410 (as witness the ‘disendowment bill’ which a group of knights presented to the parliament of that year)²⁹ it was still far from clear how committed the secular authorities were to the defence of the old order. By 1420 any such doubts had been set aside. The process of definition and polarisation which characterised this decade meant that, to quote Catto again, ‘in all but name, more than a century before the title could be used, Henry V had begun to act as the supreme governor of the Church of England’.³⁰ Arguably, it was this which prevented England from going the same way as Bohemia in the fifteenth century – an outcome which clearly seemed far less implausible to contemporaries than it has to some historians.

The measures adopted to stamp out Lollardy bore striking similarities to those adopted to combat idleness and vagrancy – indeed the term ‘Lollard’

²⁷ Powell, *Kingship, Law, and Society*, p. 165.

²⁸ J. H. Denton, ‘The Clergy and Parliament in the Thirteenth and Fourteenth Centuries’, in *The English Parliament in the Middle Ages*, ed. R. G. Davies and J. H. Denton (Manchester, 1981), pp. 88–108.

²⁹ *Selections from English Wycliffite Writings*, ed. A. Hudson (Cambridge, 1978), pp. 135–7.

³⁰ Catto, ‘Religious Change’, p. 115.

itself was sometimes used simply to denote 'idle layabouts',³¹ while in 1417 the parliamentary commons, in a petition which had nothing to do with heresy or Church affairs, claimed that common disturbers of the peace were 'in truth likely to share the opinions of the Lollards'.³² Thus these essentially different problems fed off each other, became associated with each other in the minds of the authorities, and inspired common remedies. Legislation designed to meet one kind of emergency was soon adapted to meet another. Itinerant Lollard preachers, for example, became another sort of vagrant, wandering from diocese to diocese without letters commendatory of the bishop, like migrant labourers without letters testimonial.³³ The similarities are especially evident in the kinds of procedure employed by the authorities to deal with them: summary judicial procedures, the taking of oaths, the use of informers in the community and the banning of confederacies were all expedients employed in the attack on both Lollardy and the labour laws.

The problem of labour and the problem of Lollardy were probably the two most serious threats to the authority of the English establishment during the century following the Black Death, and in each case the threat was made manifest in an explosion of violence which not only confirmed the government's worst fears but served as a justification for further measures designed to bring the dissidents to heel: the great revolt of 1381, and the Oldcastle rebellion of 1414. Each was followed within a few years by legislation which dramatically extended the powers – the theoretical powers, at any rate – of the state: in the former case, the legislation of 1383 against vagrancy, and the Statute of Cambridge, which introduced a gamut of new and much more interventionist measures designed to manipulate the labour market to the needs of the landholding class; in the latter case, the acts of 1414 and 1416, which made a felony of religious non-conformity and brought its investigation indisputably within the ambit of royal officials at all levels. But there was also a third area in which the government needed to ensure that it commanded the obedience of its people. The significance of the Hundred Years War in governmental terms was that it too allowed the government to argue that it was operating in a continual state of emergency, and thus to assume powers that it would otherwise have been difficult to justify. The most obvious sense in which this was true was in its taxation policy. During the fourteenth century, taxation fundamentally altered the basis of crown finance in England. The so-called 'ordinary revenues' of the crown became marginal to the proper functioning of government, while permanent taxation became its bedrock. Levels of taxation which in the 1290s, or even as late as the early 1340s, had been presented as quite exceptional, and had occasioned

³¹ Wilks, 'Wyclif and the Great Persecution', p. 47.

³² RP, IV, 113–14 ('verrai semblables d'estre de l'opinion des Lollardes').

³³ See, e.g., SR, I, 373; II, 126.

political crises as acute as those of 1297 and 1341, had, by the late fourteenth and early fifteenth centuries, come to be regarded as the norm. Between 1350 and 1420, the English government succeeded in raising approximately £90,000 a year in taxation.³⁴ This figure is, of course, only a very rough and ready average, and here indeed lies the weakness (from the government's point of view) of English taxation policy at this time. During periods of peace or prolonged truce, when direct subsidies could not be justified and were not usually demanded, it fell substantially. During the 1360s, for example, taxation averaged only about £65,000 a year, and during the 1390s it was just a little over £75,000. On the other hand, the English people also showed themselves to be capable of yielding up considerably larger sums in taxation for bursts of a few years at a time, such as 1370–77 (about £108,000 a year) and 1413–20 (about £106,000 a year). How long impositions at this level could be sustained was, however, another matter. The crushing taxation of the 1370s ended in the 1381 revolt, while Henry V, despite his gratifying military and diplomatic triumphs, began to encounter considerably more forceful opposition to his financial demands during the last year or two of his reign.

Even so, and despite the failure of the crown to establish its right to peacetime taxation as a normal function of government, the ability of successive kings to harness the financial resources of the nation in this manner for this length of time represented a significant extension of its powers by comparison with what had gone before. During the thirteenth century, taxation was occasional; during the fourteenth century, it was regular. This transformed English government finance. Unfortunately, the almost unavoidable result of this transformation was that, war or no war, the government became increasingly dependent on regular taxation at levels not far short of this in order to function adequately. The chronic insolvency of Henry VI's government between 1422 and 1453, when taxation had fallen to an annual average of about £55,000 a year, underlines the point.

The attitude of the commons, who granted the taxes, was crucial to this sea-change in royal finance, and, as Gerald Harriss has pointed out, it was the period of emergency in the twenty years or so after the Black Death which brought a decisive shift in their attitude. 'Thus recruited into the political government of the shires,' he writes, 'and increasingly identified with the aims and assumptions of royal government, the parliamentary Commons gradually began to adopt the proprietary attitude to public finance of the King and the Lords.'³⁵ The next half-century or so saw further important developments in taxation policy. The 1360s, despite the fact that peace now prevailed with France, saw the continuance of the wool subsidy at a level

³⁴ For a recent comparison of taxation in late medieval England, France and Castile, see W. M. Ormrod, 'The West European Monarchies in the Later Middle Ages', in *Economic Systems and State Finance*, ed. R. Bonney (Oxford, 1995), pp. 123–60.

³⁵ G. L. Harriss, *King, Parliament and Public Finance in England to 1369* (Oxford, 1975), p. 517.

which, half a century earlier, would have been unthinkable in peace-time. It was from this time that indirect taxation at what was virtually a war-time rate became, in practice if not in theory, a permanent imposition, the way thereby being prepared for the life-grants of the wool subsidy to Richard II in 1398 and Henry V in 1416. The theoretical justification for taxation (namely, that it was granted in emergency – which meant war – and must therefore be spent on war) was never abandoned, and indeed constantly reiterated; and yet, in practice, the late fourteenth and early fifteenth centuries witnessed a gradual lowering of the commons' defences on this subject, in response to the exigencies of the moment. In 1397, 1410, 1411, 1414 and 1415, grants of lay subsidies were made with the provision that they were to be entirely at the king's disposal, to be spent as needs, military or otherwise, required. The councils of March 1407 and February 1408 specifically assigned large sums from the lay and wool subsidies to the payment of the accumulated debts of the royal household and the king's annuity bill, and in 1421 Henry V was granted a lay subsidy on the day parliament opened, before the speaker had even been elected, and despite the fact that a formal peace had just been made with France.³⁶ Crisis measures these may have been, but as crisis became a permanent condition, so too did the measures that sought to remedy it.

One reason why the lords and commons were prepared to sanction this relentless normalization of royal taxation was because they were not the ones who footed the bill. Lay subsidies, as is well known, fell proportionately much more heavily on the poor than the rich, and the commons made it clear that this was not a situation which they wished to see changed. Indeed, the experimental taxation of the late fourteenth century – the parish tax of 1371 and the three poll-taxes of 1377–80 – achieved quite the opposite result, throwing an even greater proportion of the tax bill on to the poor. Admittedly, during the first half of the fifteenth century, a number of experimental taxes were granted on the lands and incomes of the wealthier members of society, but if this was a belated recognition of the inequity of the system, it was half-hearted and sterile. The assessments were unrealistic, and the yields amounted to between only £1000 and £9000. 'An equitable reassessment of the tax burden was not being seriously contemplated,' says A. L. Brown, and it is hard not to agree with him.³⁷ Regular taxation – granted by landlords, paid by peasants, and frequently misappropriated to, for example, the ever-lengthening list of crown annuitants and pensioners, among whom the gentry figured prominently – had become yet another plank in the policy of societal reinforcement which characterised late medieval English government.

³⁶ G. L. Harriss, 'The Management of Parliament', in *Henry V*, ed. Harriss, pp. 137–58 (pp. 145–6 and 151); C. Given-Wilson, *The Royal Household and the King's Affinity: Service, Politics and Finance in England 1360–1413* (New Haven, CT, 1986), pp. 130–1.

³⁷ A. L. Brown, *The Governance of Late Medieval England 1272–1461* (London, 1989), p. 77.

This increasingly 'proprietary attitude' of the commons towards public finance gives us some indication as to what ought to be understood by the term 'English government' during this period. Taxation was granted by the commons – that is, broadly speaking, the county gentry and the urban bourgeoisie. The labour laws, once they had been agreed in parliament, were passed to justices of the peace, mayors and aldermen for enforcement.³⁸ It was also the justices of the peace, mayors and aldermen, along with the sheriffs, who were given the responsibility for rooting out Lollards and other non-conformists. The rise and rise of the justices of the peace is one of the commonplaces of English administrative and judicial history of the later fourteenth and fifteenth (and indeed later) centuries, and parliament consistently reaffirmed its faith in their ability to act as the enforcers of its laws (which is hardly surprising, since they were in effect reaffirming their faith in themselves). Over and over again in late medieval parliaments, the preferred remedy in cases where a statute was perceived not to be effective was to ask for it to be included in the commissions of the justices of the peace.³⁹

The alliance of the royal bureaucracy and the landholding class was thus at the very heart of the expansion of English government during this period. By tying the gentry – and, to a lesser extent, the bourgeoisie – into the political process, it harnessed their support to a programme of continual extension of governmental power, and in return allowed *them* to harness the judicial power of the government to a programme designed to further their social and economic interests. The term 'English government', therefore, should be understood here as referring not simply to the royal bureaucracy, but to the alliance of king, lords and commons which was jointly responsible for determining and enforcing policy in England at this time. It was the nexus between parliament and the justices of the peace which provided the crucial link: parliament represented the views of the landholding class; so did the justices of the peace. Parliament passed the legislation; the justices of the peace enforced it. The simultaneous development of these two institutions, drawn from the same social groups, thus provided the essential prerequisite for the development of governmental power during this century or so. One of the things which parliament came to be during this period was, in effect, an instrument for social control in the interests of the landlords.

³⁸ For an example of what this might mean in an urban context, see the comments of Sarah Rees Jones on the role of the mayor and aldermen in implementing the labour laws and similar legislation in York: 'York's Civic Administration, 1354–1464', in *The Government of Medieval York*, ed. S. Rees Jones, Borthwick Studies in History 3 (York, 1997), pp. 108–40 (pp. 116–20).

³⁹ Brown, *Governance of Late Medieval England*, p. 146.

Conclusion

To conclude: the government's reaction to the 'problem of labour' during the century following the Black Death should not be seen in isolation. In itself, it was of course a response to a specific and unprecedented type of problem. Yet it also became part of a wider problem, the issue of governmental authority in English society. This authority faced challenges on a number of different fronts – financial and ecclesiastical as well as demographic and occupational. The government responded on a broad front, uniting in an alliance of crown and landlords to develop a more uniform and 'national' system for the enforcement of governmental and seigneurial authority to replace the more fragmented or 'private' systems of enforcement of earlier times. To take one example, this period is commonly regarded as marking the gradual decline of serfdom, which by 1500 had virtually disappeared. This in itself was clearly a good thing – for those who had been serfs, at any rate. Whether it led to a greater degree of individual freedom for the majority of the population is another matter entirely. In fact, many elements of serfdom became incorporated in the new labour laws: chevage, for example (the payment made by a serf to leave his manor), was replaced by national restrictions on mobility; work-contracts between lords and tenants, previously a matter of private negotiation, now became a matter of public policy, determined by legislation.

That the government succeeded, during the century or so after the Black Death, in arrogating to itself much greater powers to control the ordinary lives of ordinary people, is indisputable: one only has to read the statutes. More problematical is the question of the enforcement of those powers. There are some areas – control of wages, for example – in which their success was clearly limited, though probably not negligible. In others, such as the suppression of Lollardy and (during certain periods) the extraction of taxation, they were much more successful. But if their policies were attended by even a limited degree of success, how was this done? Not, surely, by *enforcement* in the literal sense of that word (that is, coercion); medieval governments lacked the apparatus to operate as police states. What is far more likely is that they succeeded because they managed to persuade a sufficient number of 'ordinary' people that new forms of social control were necessary. This is, naturally, a much more difficult idea to substantiate, but if evidence to support it does exist, it is likely to come from two distinct directions. First, the literature of the time: as with all literature, it is never easy to know how representative one author's feelings are, but recent studies of *Piers Plowman* – or, more specifically, of Passus VI of the poem, in which the contrast is explicitly drawn between impotent and able-bodied beggars – is at any rate suggestive. 'To the former alms are due, to the latter punishment.' To quote David Aers:

The poet attacks lower-class reactions to changed circumstances by deploying a work ethos and moralizing vocabulary which is the *employers'* response to these same circumstances. . . . Little could have been further from Langland's overall values than to contribute to the evolution of such an ethos, yet at this point his poem was coming to do so.⁴⁰

As to the wider picture to be obtained from the literature of this period, it is worth noting the recent comments of Ian Johnson that

[fifteenth-century literary production], for all its fascination and affectivity, shows technical accomplishment without the innovativeness and ideological latitude of the fourteenth century. The political climate for new literature was profoundly altered.⁴¹

'Ideological latitude' is the crucial phrase here. Perhaps that most elusive of economic and social phenomena, 'trickle-down', does have some validity after all.

The second direction from which such evidence is likely to come is through an examination of patterns of communal behaviour. This is a methodological minefield, and there may well be many who would agree with Christine Carpenter's plea to medieval historians to drop their use of the word 'community' entirely.⁴² On the other hand, it is difficult to ignore, for example, the work done by L. R. Poos on the enforcement of the labour legislation during the late fourteenth and fifteenth centuries. What he found – to summarise – was that it was not just the government and its agents (that is, the landholding classes) who were keen to enforce the legislation, but frequently local officials and 'peasant elites' within villages and townships:

However great an interest manorial lords had in maintaining the cheapness and availability of labour, in practice the sanctions that the Statute offered operated equally in the interests of lesser men. In this respect the Statute of Labourers, as an instrument of social control, could function as a more rigorously pursued and formalized successor to previous communal sanctions.

Thus, concludes Poos, 'by effectively co-opting elements within rural communities into the machinery for the labour laws' enforcement . . . , proceedings under the Statute betray a much more complex web of interests, shared by medieval villagers themselves, in controlling labour resources';⁴³ which

⁴⁰ D. Aers, *Community, Gender and Individual Identity: English Writing 1360–1430* (London, 1988), pp. 43 and 49. See also Derek Pearsall, 'Piers Plowman and the Problem of Labour' (in this volume).

⁴¹ I. Johnson, 'Language and Literary Expression', in *An Illustrated History of Late Medieval England*, ed. C. Given-Wilson (Manchester, 1996), pp. 127–51 (p. 145).

⁴² C. Carpenter, 'Gentry and Community in Medieval England', *Journal of British Studies* 33 (1994), 340–80 (p. 340).

⁴³ Poos, 'Social Context', pp. 36 and 52.

seems to be much like saying that the laws worked because enough people, at enough levels of society, believed that it was in their interests to make them work.

Despite Carpenter's characteristically trenchant strictures, Christopher Dyer, writing in the same special issue of the *Journal of British Studies*, argues that 'the village community had a real and practical existence', and that in certain respects 'the English village community was strengthened in the later middle ages'. One respect in which he suggests that this was so was that the growing controls and demands of lords and the crown 'gave the village new functions from which the peasant leadership gained even more authority over their neighbours'.⁴⁴ One final example, cited by Dyer, will help to illustrate the point. Robert Growt, a villager of Honingham (Norfolk) presented by the jurors of his manor court in 1445, was said by them to 'live suspiciously . . . , because he does nothing, nor has any land or holding on which he can occupy himself, against the peace of the lord king'.⁴⁵ What is striking here is the idea that in order to break the king's peace, all one had to do was to be landless and do nothing; and if it was in any way typical, what it illustrates is the extent to which the values of the governing class had been adopted by some of their inferiors; how the whole problem of social control had 'trickled down' into a wider consciousness. It is difficult to imagine how else the degree of social control envisaged in the parliamentary legislation of the years 1350–1450 could have been enforced.

⁴⁴ C. Dyer, 'The English Medieval Village and its Decline', *Journal of British Studies* 33 (1994), 407–29 (pp. 418 and 429).

⁴⁵ Dyer, 'English Medieval Village', p. 427.

The Voice of Labour in Fourteenth-Century English Literature

STEPHEN KNIGHT

This topic is at the same time both slender and broad. Slender because what literary material was written about medieval labour is usually short if complete, or fragmentary if embedded in a larger text. Broad because the material comes from a lengthy and varied period, appears in a wide range of genres, and has many different types of approach, audience and thematic implication. Even if a modern definition of literature is used, focusing only on 'creative' writing, that includes mostly poetry in various genres. As a result of this simultaneous slenderness and breadth, the comforting systems of conventional literary treatments are not available; we cannot deal simply in terms of an author, a period, a genre. Therefore this chapter is theme-based and will try to sort the discussion of labour in medieval literature into different categories based on content and approach. It will also, because of both space and range, restrict itself to material written in English. And because of the focus of this collection I will concentrate on the fourteenth century, though I will make some references to texts surviving from a little later which either seem likely to have been current in the fourteenth century or enlighten its texts in some way.

Throughout, the purpose will be to see to what extent the surviving material about labour gives access to what Raymond Williams called 'a structure of feeling', a sense of what it felt like to be involved in the debates about the role, duties and even rights of labour in the fourteenth century. Some of the material has been usefully discussed: John Scattergood's *Poetry and Politics in the Fifteenth Century*¹ and Janet Coleman's *English Literature in History, 1350–1400: Medieval Readers and Writers*² offer analytic surveys, while Ordelle G. Hill in *The Manor, the Plowman, and the Shepherd*³ deals interestingly with the theme of labour. Recent studies with a historical focus are an essay by J. R. Maddicott on 'Poems of Social Protest in Early Fourteenth-Century

¹ London, 1971.

² London, 1981.

³ Selngrove, 1993.

England'⁴ and Peter Coss's 'Introduction' to the reprint of Thomas Wright's *Political Songs of England*.⁵ The major editors of these materials, notably Carleton Brown, R. H. Robbins, Celia and Kenneth Sisam and James M. Dean often locate interesting comments in their notes.⁶ None of these scholars, however, has looked specifically at the voice, or rather voices, to be found in the texts. I will focus on this issue, looking at the extent to which the consciousness of medieval labourers is actually created in the texts. There are clear parallels with, but also differences from, the way in which the self-awareness of labouring people has in the last two centuries been realised by prose writers, and I will occasionally mention them for comparative purposes.

With regard to authorship, even in our own age there have been few successful writers who were simultaneously manual workers, and in the medieval period it is highly improbable that anyone who wrote at all also laboured manually, though clearly a number of clerics originally came from that social grouping. In the fifteenth century, as Scattergood indicates, material about the poor was beginning to be written – or, more accurately, recorded – by minstrels, but he feels that almost everything else before then was the product of clerics.⁷ Maddicott also sees the fourteenth-century materials as being entirely clerical in origin; but Coss, who has made a special study of the production and transmission of popular materials, argues that secular authors may have been operating as early as the fourteenth century.⁸ This largely clerical authorship has a considerable impact on the materials; just as modern representations of labourers have been refracted through the thought-systems of socialist politics or liberal sympathies, so the medieval materials were strongly affected and often redirected by the religious positioning of the bulk of the authors.

But if this feature, which I will call clericalization, is a major tendency, controlling the voice in much of the literature of medieval labour, it should not be forgotten that silence itself was also a force. The relative scarcity of a literature of labour was in itself a powerful element in the construction of, or apparent consent to, medieval hegemony, and in a fuller account I would open by giving at some length details of such speaking silences: for example, in

⁴ In *England in the Fourteenth Century: Proceedings of the 1985 Harlaxton Symposium*, ed. W. M. Ormrod (Woodbridge, 1985), pp. 130–44.

⁵ Cambridge, 1996.

⁶ *English Lyrics of the Thirteenth Century*, ed. C. Brown (Oxford, 1912); *Historical Poems of the XIVth and XVth Centuries*, ed. R. H. Robbins (New York, 1959); *Secular Poems of the XIVth and XVth Centuries*, ed. R. H. Robbins (Oxford 1952); *Fourteenth Century Verse and Prose*, ed. K. Sisam, rev. edn (Oxford, 1955); *The Oxford Book of Medieval Verse*, ed. C. Sisam and K. Sisam (Oxford, 1970); *Medieval English Political Writings*, ed. J. M. Dean (Kalamazoo, MI, 1996).

⁷ Scattergood, *Politics and Poetry*, pp. 350–77.

⁸ Maddicott, 'Poems of Social Protest', pp. 133–4; P. Coss, 'Aspects of Cultural Diffusion in Medieval England: The Early Romances, Local Society and Robin Hood', *Past and Present* 108 (1984), 35–79; Coss, 'Introduction', p. lxvi.

Chaucer's 'The Knight's Tale' it is Theseus himself, apparently, who 'builds' the lists – an interesting silence from a writer who had been Controller of the King's Works and oversaw the building of lists for the Smithfield Tournament in 1390. In romance, knights journey long distances in improbable isolation, tended only by a damsel and a dwarf, if that: *Sir Gawain and the Green Knight* includes a fine example of lonely knightly travel, but there are many more. When labouring class people do speak, it is as if they are momentarily part of the ruling group, as when Gamelyn's bondmen advise him that his lands are lost in a style indistinguishable from his own, or as when in Malory Cornish fishermen direct Tristram on his way, speaking in perfect chivalrese.⁹

Labour in hierarchy

While silence may be conservatively golden, actual representations of those who labour may be just as hegemonic in impact, even though apparently positive towards labour, as in a poem that Wright entitles 'On the King's Breaking His Confirmation of Magna Carta'. The 'wisdom . . . Off olde men and yunge', the poet says, is that:

Riche and pore, bonde and fre,
That loue is god, ye may se;
Loue clepeth ech man brother;¹⁰

Love, however heart-warming, is only a cultural construct; realities remain, as is at least implied in the popular carol *God Speed the Plough*:

The merthe of alle this londe
maketh the gode husbonde
with erynge of his plowe.
I-blessyd be cristes sonde,
That hath us sent in honde
merthe and joye y-nowe.
The plowe goth mony a gate,
Both erly and eke late,
In wynter in the clay.
A-boute barly and whete,
That maketh men to swete,
God spede the plowe al day!
Browne, morel and gore
Drawne the plowe ful sore,
Al in the morwenynge.

⁹ *The Works of Sir Thomas Malory*, ed. E. Vinaver, 2nd edn, 2 vols. (Oxford, 1967), I, 441.

¹⁰ *Wright's Political Songs*, ed. Coss, p. 256, ll. 76–8.

Rewarde them therfore
With a shefe or more,
Alle in the evenynge.¹¹

The first three lines are a refrain, and the stanzas tell how the plough, going 'erly and eke late' (stanzas 7–8) and in all weathers, is central to the cycle of food production. The song names the horses who draw the plough (stanza 13) but not the men who 'swete' (stanza 11), and only finally prays for 'plowemen' (stanza 21). The sense of the poem, caught in its editorial title (used in the last lines of two stanzas, 12 and 24), is that God himself drives the plough. The agency of the workers is much reduced; they almost become a part of the land, naturalized like the weather; or they seem like animals, dehumanized like the 'hands' who work in a nineteenth-century factory. This view is often embedded in the medieval texts, implied when workers are shown as closely identified with the earth on which they labour and which often besmears and envelops them, so close they are to the animals they work with, and whose species they seem at times almost to share.

The voice of such a poem is distinctly religious and the controlling frame is divine will. Equally generalized and conservative is a social, not religious, image of labour as a lower part of the political body. This is taken quite literally in a poem in Oxford, Bodleian Library, MS Digby 102, dated to the early fifteenth century, which sees craftsmen, labourers and serfs as the legs, feet and toes of the corporal kingdom:

Mannys leggis, likne I may
To alle craftes that worche with handes,
For al the body beren thay,
As a tre bereth wandys.
The feet, to lykne, y wole assay,
To alle trewe tylyers of landes,
The plough, and alle that dygge in clay;
Alle the world on hem standes.

The toes of the mennys feet,
Tho y likne to trewe hyne
That trauayle bothe in drye and weet,
In thirst, in hungere and in pyne,
In het, in cold, in snow and slet,
Many highe none, er they dyne,
And with good mete selde met;
But after howsel they drynke no wyne.¹²

¹¹ *Historical Poems*, ed. Robbins, pp. 97–8, ll. 1–18; see also *Medieval English Political Writings*, ed. Dean, pp. 245 and 262–3.

¹² *Twenty-Six Political and Other Poems*, ed. J. Kail, EETS, OS 124 (London, 1904), p. 66, ll. 58–72.

Low as they are, labourers are crucial, but that does not give them special power. From this exposition the moral is drawn that though servant and master rely on each other, hierarchy remains in place, as workers must show obedience while masters must only use wisdom (ll. 77–80).

These aspects of a conservative ideology are allegorized and general. There are, however, instances of a complete labouring figure being represented, and a classic example is from Chaucer's 'General Prologue' to *The Canterbury Tales* – a text of secular clericism:

With hym ther was a Plowman, was his brother,
That hadde ylad of dong ful many a fother;
A trewe swynkere and a good was he,
Lyvyng in pees and parfit charitee.
God loved he best with al his hoole herte,
At alle tymes, thogh him gamed or smerte,
And thanne his neighebor, right as hymselfe.
He wolde thresshe and therto dyke and delve,
For Cristes sake, for every povre wight,
Withouten hire, if it lay in his myght.
His tithes payde he ful faire and wel,
Bothe of his propre swynk and his catel.
In a tabard he rode upon a mere.¹³

The Plowman is an evident archetype, as discussed by Paul Freedman,¹⁴ and the portrait includes several of the often-found verbal stereotypes of faithful labour: he 'hadde ylad of dong full many a fother' (l. 530), he was 'a trewe swynkere' (ll. 531–2) and 'he wolde thresshe and therto dyke and delve' (l. 536). As Mann notes, 'labour was the first, and often the only, duty urged on the peasant by estates writers'.¹⁵ But this ploughman is morally perfect as well as a rural Stakhanovite: he has none of the aggressive noisiness of the bad labourer, he loved God and his neighbour, paid his tithes promptly and fully and was not overdressed (ll. 532–41) – the last being a critique not found in much other English commentary on labourers, but noticed in the estates writers and the 'General Prologue' itself. The Plowman's description is brief and, in the context of other representations of labour, it becomes clear that it is in fact only a part description. A number of the usual attributes of the 'good labourer' are in fact displaced onto the Plowman's brother, the Parson. It is he who copes with bad weather and unremitting movement in his work, usually a feature of the ploughman or other labourer:

¹³ G. Chaucer, *The Riverside Chaucer*, ed. L. D. Benson (Oxford, 1987), p. 32, ll. 529–41.

¹⁴ See P. Freedman, *Images of the Medieval Peasant* (Stanford, CA, 1999), pp. 223–9, 'Christ and the Pious Plowman'.

¹⁵ J. Mann, *Chaucer and Medieval Estates Satire* (Cambridge, 1973), p. 69.

. . . he ne lefte nat, for reyn ne thonder,
In siknesse nor in meschief to visite
The ferreste in his parrishe, mucche and lite
Upon his feet, and in his hand a staf. (ll. 492–5)

And it is he, not his brother, to whom the role of shepherd is given in metaphorical but emphatic terms (ll. 495, 504, 508, 514). Indeed, it is a recurrent assertion of his goodness throughout the passage that 'He was a shepherd and nat a mercenarie' (l. 514).

Chaucer's descriptions exemplify how the medieval worker is to a large degree fixed in, made static by, and even condemned to, certain emphasized and almost liturgical phrases that specify his – and sometimes her – role: they will 'swink and sweat', they will 'dyke and delve', 'spin and sewe'; they are 'leel labourers' as well as 'men on molde'. These routinized alliterative phrases pin the labouring people into unchangeable situations of noble savagery and diurnal duty, with only one repeated element of sympathy or even critique, namely that they are, in a commonly used phrase, 'the piled poor': the word 'piled' means 'robbed', with an undercurrent of 'made naked, vulnerable'.

Such a treatment of the world of labour is not only common but also deeply embedded. The whole idea of a conservative role for the hardworking labourer goes well beyond songs and fixed phrases. Those phenomena are referenced to a whole system in Christian thought. This originates in the Garden of Eden story, which tells how humans are, because of that original sin, condemned to endure hard work and misery. Adam sums up their situation in the York play about the Expulsion:

On grounde ongaynely may Y gange,
To suffre syte and peynes strange,
Alle is for dede I haue done wrange . . .¹⁶

The labouring figure can be grandly dignified, as with Adam as in the West Window at Canterbury, typologized as an avatar of Christ, or just popularized positively like the labourers who appear in manuscript margins or in songs like the fifteenth-century carol *Joly Shepherd Wat*. It appears that the shepherd is more inclined to be the benevolent ideal, the crop-producer more likely to raise complaint: Hill both discusses the economic causes for that difference and explores the image of the shepherd as the good labourer, in no way a hireling and with Christ-like affinities.¹⁷ But between them farmer and shepherd, Cain and Abel, figure the need of the poor to labour endlessly and pay tithes regularly, so supporting both the secular and clerical aspects of the state. Adam and the 'Joly shepherd' Wat have a voice of sorts, but it only expresses their acceptance of a hegemonic role, the self-consciousness of a non-self.

¹⁶ *The York Plays*, ed. R. Beadle (London, 1982), p. 71, ll. 99–101.

¹⁷ Hill, *The Manor, the Plowman*, pp. 44–5, and pp. 19–20, 51, 70–3.

Labour clericized

If there exist two images of labourers, either a secular pastoral saint of a shepherd or a sin-laden descendant of Adam still serving his sentence, there are also powerful images of those who reject those respectful roles and ways of textual control. Uncontrolled language and a tendency to argue and fight are themselves regular characteristics of these lower-depths representations of workers, as becomes clear in *Piers Plowman* in the context of Gluttony:

Thenne goth Gloton in and grete othes aftur.
Sesse the sywestere saet on the benche
Watte the warnare and hus wyf dronke
Tymme the tynkere and tweye of hus knaues
Hicke the hakenayman and hewe the nedlare
Claryce of cockeslane, the clerik of the church,
Syr Peres of prydie and Purnele of Flaundres
An haywarde, an heremyte, the hangeman of tyborne,
Dawe the dikere with a dosoyne harlotes
Of portours and of pikeporses, and pilede toth-drawers
A rybibour, a ratoner, a rakare and his knaue
A ropere, a redyngkynge and Rose the disshere
Godefray the garleke-mongere and Griffyth the Walshe
And of upholders an heep erly by the morwe
Geuen gloton with glad chere good ale to hansull.¹⁸

This gallery of male and female workers and parasites, with a few low-level figures of authority – the hayward and the hangman – then lurches into comic games and violence, ending in the intoxicated vomiting collapse of Glutton. The fact that these highly non-hegemonic peasants appear under the category of one of the Seven Deadly Sins is itself a firm clericization of their appearance. In any case, the whole movement of the poem will follow that clerical direction: the clamorous voices implied by the poem are self-aware in a potentially disruptive way, but firmly brought under clerical censure and ethical control.

It is interesting to note that here, as elsewhere, the distinction we might want to make between labourers – unskilled people – and those with at least some craft skills does not appear to be present. The distinction itself may in fact be post-industrial. Chaucer's brutish figures of lower-depths labourers are themselves people of some level of skill – the violent jangling Miller, the beastly Summoner, the skilful but corrupt Pardoner and the promoted but still craft-oriented Reeve. They may be all described as churls, but they are clearly not serfs. There is in satire a substantial representation of these figures

¹⁸ W. Langland, *Piers Plowman: The C Text*, ed. G. H. Russell and G. Kane (London, 1997), Passus VI, ll. 361–75.

who are often collectivised as 'wasters' or allegorised as 'Waster' (in both *Piers Plowman* and *Winner and Waster*); they threaten order and are hard to control or elude.

But not all labouring people are as ideal as Abel or as cursed as Cain. Not all labouring voices fit so easily into hegemony. There is also a limited but intriguing tradition from the late medieval period which does represent the labourer in a more objective fashion, offering to depict the reality, the appearance and the voice of those who actually did work so hard in such oppressive circumstances.

These accounts fall into two groups. First, there are texts where the labourer himself is permitted to act as the focus for feelings and thoughts – to speak, or at least to indicate, reactions through gestures and reference – what in literary criticism is called 'focalization'. There are some, but not many, of these texts that focalize labourers, and they begin to shape their voice. I will look at these later. They are much like the Chartist novels of the nineteenth century. But also, and much more commonly, there are texts where the narrator or author figure does not permit these characters to focalize, or not for long, but controls and re-focuses the material, and the voices, through a dominant consciousness. A recent parallel to this would be novels which begin in working-class areas but move on to success elsewhere, as in medicine (A. J. Cronin's *The Citadel*) or business (John Braine's *Room at the Top*). This process of eliding the labouring focus is itself both a symptom of and a vehicle for clericalization, the retracting or redirecting of political or satirical themes into a moralized framework.

A good example of clericalization is the mid-fourteenth century poem *The Simonie*. This begins with the clear intention of explaining distress as it is actually felt by farmers:

Whii werre and wrake in londe and manslauht is i-come,
Whii hungger and derthe on eorthe the pore hath undernome,
Whii bestes ben thus storve, whii corn hath ben so dere,
Ye that wolen abide, listneth and ye mowen here the skile.
I nelle liyen for no man, herkne who so wille.¹⁹

But after so clearly material an opening, with the promise of a labouring voice, the text focuses almost entirely on the vices of the contemporary clergy – various forms of idleness and corruption ranging right through the body of the medieval Church. The spirit is satirical, but only in terms of clerical self-consciousness; the speaking position apparently made for 'the pore' is appropriated by the clergy. The evil clergy have also corrupted knighthood into obeying the Church and going on Crusade, and as a result there is general disorder throughout the land:

¹⁹ *Medieval English Political Writings*, ed. Dean, pp. 193–212 (ll. 1–5).

Godes soul is al day sworn, the knif stant a-strout. (l. 277)

The law is equally distorted:

And justises, shirreves, meires, baillifs, if I shal rede aricht,
Hii kunnen of the faire day make the derke niht. (ll. 289–90).

This is a poem of clericization in two ways. First it rests its satirical critique almost entirely on the faults of the clerics. Yet pungent as it is, this is also a narrow account, giving no agency to landlords or indeed peasant agriculturists to exercise either virtue or vice: all are puppets of the clergy. Labourers in particular have no agency. As Coleman notes, 'the poor have no duties, but are described as passively exploited'.²⁰ So the poem does not deal at all with the actual operative state of those whom its first five lines set out to describe. With this development in view, is quite surprising when the poem returns to its alleged topic, the state – the structure of feeling – of the poor:

Ac if the king hit wiste, I trowe he wolde be wroth,
Hou the pore beth i-piled, and hu the silver goth;
Hit is so deskatered bothe hider and thidere
That halvendel shal been stole ar hit come togidere,
And accounted;
An if a pore man speke a word, he shal be foule afrounted.
(ll. 313–18)

Even in this short passage the writer loses focus on the poor and then jerks back to them, just as does the entire poem, a self-obsessed account of the clergy rather than a real account of the labouring life.

A poem parallel in its effect to *The Simonie* is *Pierce the Ploughman's Crede*, dated to the very end of the fourteenth century and clearly influenced in style and theme, as well as name, by *Piers Plowman*. After reviewing the corrupt state of England, especially the Church, the speaker meets a peasant family, represented in terms that express powerfully the pain of labouring poverty:

I seigh a sely man me my upon the plow honged
His cote was of a cloute that cary was y-called,
His hod was full of holes and his heer oute,
With his knopped schon clouted full thykke;
His ton todeden out as he the londe treddede;
His hosen ouerhongen his hokschynes on eueriche a side,
Al beslombred in fen as he the plow folwede;
Twey myteynes, as mete, maad al of cloutes;
The fyngers were for-werd and ful of fen honged,
This whit waseled in the fen almost to the ancle,
Foure rotheren hym by-forn that feble were yworthen;

²⁰ Coleman, *English Literature*, p. 117.

Men myghte reken ich a ryb so reufull they were.
His wijf walked him with a long gode,
In a cutted cote cutted full heyghe,
Wrapped in a wynwe schete to weren hire fro weders,
Barfote on the bare ijs that the blod folwede.
And at the londes end laye a litell crom-bolle,
And thereon lay a litell childe lapped in cloutes,
And tweyne of tweie yeres olde opon a-nother syde,
And alle they songen o songe that sorwe was to heren;
They crieden alle o cry a carefull note.²¹

Agonizingly realized as this family is, the poem uses them much as the harsh and challenging realities of labour are used in *Piers Plowman* itself, as something to be noted, deplored, and yet not given a voice but sublimated.²² Transcendence rather than description is the mechanism of the text. As Hill says of this ploughman: 'Realistic he may be, but he and his wife are also simple allegorical figures representing pure virtue.'²³ The major role of the ploughman in the poem is, at the end, to speak his creed: he has no voice as oppressed labour; he speaks only as the figure of Langlandesque patient poverty, and as a model of faith and behaviour to all ambitious and worldly people who claim to be clerics, those who are both the producers and the central topic of the poem.

The same ultimately hegemonic voicing is central to *How the Ploughman Learned his Paternoster*, which starts with a statement of a ploughman's wide-ranging duties, close to Chaucer's depiction of his Plowman, and allowing the structure of the labouring world and its structure of feeling to emerge:

He coude eke sowe and hold a plow,
Both dike, hedge and milke a cow,
Thresh, fane, and geld a swine,
In every season and in time;
To mow and repe both grass and corn
A better labourer was never born;
He coulde go to plowe with oxe and hors –
With which it were he dide no fors;
Of shepe the wolfe off for to shere
His better was founde no where;
Strip hemp he coude to cloute his shone,
And set geese a-broode in season of the moone,
Fell wode, and make it as it sholde be;

²¹ *The Piers Plowman Tradition*, ed. H. Barr (London, 1993), pp. 78–9, ll. 421–41.

²² This point seems not to be fully appreciated by Coleman when she suggests the author might be a "'proletariat" member of the middle group' in society: Coleman, *English Literature*, p. 62.

²³ Hill, *The Manor, the Plowman*, p. 93.

Of fruite he graffed many a tree;
He coude theche a hous, and daube a wall,
With all thinges that to husbandry dide fall.²⁴

But this celebration of honest labour is from a distance, focalized only by the authorial voice. This ploughman is literally voiceless in the text at this stage; he cannot speak to God because he does not know his Paternoster. The priest undertakes to teach it to him through an intriguing allegory. Each word of the prayer is a poor person who receives corn from the ploughman. When all his corn is gone, he names the recipients, and so has learnt the prayer – in poverty now, but properly learned in the faith. When the ploughman does speak, his voice is neither secular nor complaining.

There are a few poems which have the same effect of clericizing closure in less direct ways. A short, vigorous poem can be taken as late medieval realism:

Swarte smekyd smethes smateryd wyth smoke
Driue me to deth wyth den of here dyntes.
Swech noys on nyghtes ne herd men neuer:
What knaue cry and clateryng of knockes!²⁵

But this is not in fact realism: it is closer to expressionism, a view that embodies a judgement. The distanced observer makes his presence felt; the occasion for the poem is his annoyance at the noise, not any explanation of why they are working such long hours:

The cammede kongons cryen after 'Col, col!'
And blowen here bellewys, that al here brayn brestes:
'Huf puf' seith that on, 'haf paf' that other.
They spyttyn and spraulyn and spellyn many spelles;
The gnauen and gnacchen, thei gronys togydere,
And holdyn hem hote wyth here hard hamers. (ll. 5–10)

The controlling tone is one of distance and personal disturbance, and it seems that the noisy scene, the smiths' voices, richly comic and poetically spectacular as the whole is – and by that poetic effect already distanced from the workmen themselves – is also linked to the noisy devils, ferocious torturers and disruptive powers found in the miracle plays, elements of the labouring class out of ethical and orderly control.²⁶

Another quite detailed account of labouring activities which manages to evade the direct voicing of realism is *The Man in the Moon*. Poetically lively and imaginatively vivid, it describes the man in the moon in familiar terms as a labourer carrying a bunch of thorns:

²⁴ *Oxford Book of Medieval Verse*, ed. Sisam and Sisam, pp. 514–21, ll. 5–20.

²⁵ *Fourteenth Century Verse*, ed. Sisam, pp. 169–70, ll. 1–4.

²⁶ A theme also raised by Gower in the *Vox clamantis*, as discussed by Coleman, *English Literature*, p. 139, and S. Justice, *Writing and Rebellion: England in 1381* (Berkeley, CA, 1994), pp. 208–9.

Man in the moone stond & strit,
On is bot-forke his burthen he bereth.²⁷

The poem continues like a 'peasant's complaint', noting the weather and other discomforts:

When the forst freseth, much chele he byt;
The thornes beeth kene is hattren to-tereth. (ll. 5–6)

But the speaker of the text then moves on to a playful speculation about where the man is going and what else he does, finally farewelling him as the moon grows dark and day will return.²⁸ Ultimately this is something with an elusive voice like that of a nonsense poem: Scattergood calls it 'whimsical escapism'.²⁹ Though the theme is a churl who has fled his manor because he stole sticks from his lord's hedge, the realism of the situation is made surreal by his location on the moon. As in *The Blacksmiths*, realism is here a technique, not a mode, and a clericized frame, playing with peasant representations, is clear, as is the poem's establishment of its own controlling voice outside that of the mute man in the moon.

There are other types of elision of the forces of labour which operate in a secular context. A marked case is the popular sub-genre of 'king and subject' poems: *John the Reeve* survives from the fourteenth century and at least seven more from later on. A central feature is that the king is forcefully challenged by a member of the lower class. In *Rauf Coilyear*, Charlemagne is knocked to the ground as Rauf, a charcoal-burner, shows who is the master in his own house. More interesting in this context is *King Edward and the Shepherd*, where the shepherd gives a fairly full account of labourers' complaints, including oppression by royal agents. All ends happily of course as the king reveals himself, and the peasant is fear-struck; but royal generosity prevails and full social order is restored – though the threat, more or less political, of the lower orders is at least realised.

Labour resistance

There were times when such blows and such complaints were not easily deferred or silenced, and some poems do survive that seem to speak in the voice of the insurgents of 1381 and other rebellious periods. The well-known 'John Ball's Letters', dated to 1381 itself, combine an allegorical mode of speaking with a conclusion implying political action. One reads:

²⁷ *Oxford Book of Medieval Verse*, ed. Sisam and Sisam, pp. 132–4, ll. 1–2.

²⁸ Hill gives an account of the events and their context: Hill, *The Manor, the Plowman*, pp. 23–5.

²⁹ Scattergood, *Politics and Poetry*, p. 352.

Now raygneth pride in price,
Couetise is holden wise
lechery without shame
gluttonie without blame
envye raygneth with reason
And sloath is taken in great season,
God doe boote for nowe is tyme.³⁰

The moralizing language is very similar to that of *Piers Plowman*. Indeed, without Ball's potent name on the text this might well seem simply a plea for ethical improvement, not unlike Langland's own poem. The voice is certainly not openly revolutionary, though it may well be coded to that effect. It is noticeable that Wrath, alone of the Seven Deadly Sins, is not attributed to the enemies of the people in this short poem; perhaps rage is assumed as a reasonable response to oppression. Wrath, or a controlled version of it, certainly seems a sub-text of another 1381 poem:

Iohan the mullere hath y-grounde smal, smal, smal
the kynges son of heuene schal pay for al.
be war or the be wo.
knoweth your freend fro your foo.
haueth y-now and seith hoo!
and do wel and bettre and fleth synne,
and seketh prees and hold yow therinne,
and so biddeth Iohan trewman and all his fellowes.³¹

Here is the same poetic structure (except that the second couplet is extended to a triplet) with the same detached last line, or perhaps envoi. Here too is the tendency towards allegory – *Piers Plowman* again provides a central idea with Do Well and Do Better, and Piers himself is enigmatically named in the prose prologue: 'biddeth Pers ploghman go to his werk and chastise wel hobbe the robbere'. The name 'Hobbe the robbere' has itself been interpreted as a code for Robert Hales, the king's treasurer,³² but if that is true it is a minor element of the text, which works by a socially aggressive redirection of traditional moral discourse. Here a form of clericization is used against its usual conservative political position, it seems, as the implication appears to take legitimate complaint over the edge into physical resistance.

Henry Knighton's chronicle reports five of these popular and apparently inflammatory verse letters, all using similar ideas and language;³³ Thomas

³⁰ *Historical Poems*, ed. Robbins, p. 54, ll. 1–7.

³¹ *Historical Poems*, ed. Robbins, p. 55, ll. 1–8.

³² Justice, *Writing and Rebellion*, p. 24, n. 33.

³³ H. Knighton, *Chronicle 1337–1396*, ed. and trans. G. H. Martin (Oxford, 1995), pp. 222–4.

Walsingham has another.³⁴ They were clearly understood as speaking for the dissident labouring people in the generalized mode of moral complaint in the period.³⁵ A voice has in this context been appropriated to secular dissent from clerisy, both in return for, and through, the way in which clerisy had previously hi-jacked secular complaint. Like modern liberalism, clericization could be a double-edged weapon for labour, providing both political containment and a voice at least partially heard and partially revolutionary.

Involved with the 1381 rising as they evidently were, the poems are nevertheless coded in conventional moral terms and Scattergood suggests that a separate language of conscious resistance was not in being at this time.³⁶ But perhaps it is just that one has not survived from 1381; a distinctly stiffer political tone is found shortly afterwards in the poem named by Robbins *The Yorkshire Partisans* and dated to 1392. Here the speakers of the text, now firmly conscious of their own ideas and identity, also recognize the operational value of community, an idea only generally outlined in the John Ball letters:

And yet wil ilke-an hel up other
and meynteine hym als his brother,
both in wrong & right
And also wil in stand and stoure
mayntayn oure neighbour
with all our might.³⁷

But the John Ball letters and their later reflexes were not the only voice from 1381. As is well known, the rising was also an object of criticism by writers of many kinds, including Gower in the *Vox clamantis*, several of the major chroniclers, and even, some feel, Langland in some of his C-text revisions and Chaucer in aspects of *The Canterbury Tales*.

One explicitly clerical response to the rising employed a familiar type of containment. Just as labourers can be dismissed as more or less part of the earth, tied to their setting in a way that denies them agency, so the rising could be interpreted as a natural disaster. A poem of 1382, which Robbins entitles *The Insurrection and Earthquake*, treats the events as a force of physical nature like the earthquake of the same year and the plague. All are caused through human sin:

³⁴ T. Walsingham, *Chronicon Angliae*, ed. E. M. Thompson, Rolls Series 64 (London, 1874), p. 322.

³⁵ The poems have been fully discussed recently by both Justice and Green: Justice, *Writing and Rebellion*, pp. 13–66; R. F. Green, 'John Ball's Letters: Literary History and Historical Literature', in *Chaucer's England in Historical Context*, ed. B. Hanawalt (Minneapolis, MN, 1992), pp. 176–200.

³⁶ Scattergood, *Politics and Poetry*, p. 355.

³⁷ *Historical Poems*, ed. Robbins, pp. 60–1, ll. 7–12.

The Rysyng of the comuynes in londe,
The Pestilens, and the eorth-quake –
These threo thinges, I vnderstonde,
Beo-tokenes the grete vengauce & wrake
That schulde falle for synnes sake,
As this Clerkes conne de-clare.³⁸

In this instance the material world is being seen only from the viewpoint of the spiritual world, and therefore only clerks, the quotation finally indicates, can, on topics like this, 'de-clare' – which meant both speak and exegesize. The statement is an interesting example of self-aware clericization, consciously containing the possibility of political unrest.

Labour represented

If, as the John Ball letters and similar poems indicate, there are some traces of a morally based but politically organised voice for the labourers, clericization turned against hierarchy, there are also some rare moments when ordinary working life is seen without any clear relation to hierarchy, negative or positive – an unmediated structure of feeling, giving access to a sphere free of hierarchical power and therefore in itself interpretable as an unconscious form of resistance. Elements of this appear in the shepherd's plays and in fabliaux as men and women behave badly and feel happy about it. Rare as these instances are, rarer yet are ones where young women focalize, but there are examples, as when in one poem they watch farm-workers playing football – but have other thoughts as well:

Thei lat lyght be husbondmen
Wha thei at the ball rene
Thei cast hyr loue to yong men
In euery place wherso thei go.³⁹

And another poem vividly represents the feelings of a young woman when she imagines going walking with such a young man, one Jack:

Sone he will take me be the hand
and he woll lege me on the lond
that all my buttockus ben of sond,
opon this hye holiday.⁴⁰

But these emotionally documentary texts are equally rare in their vividity and their occurrence. There is, however, one rare text which speaks throughout in

³⁸ *Historical Poems*, ed. Robbins, pp. 57–60, ll. 57–62.

³⁹ *English Lyrics*, ed. Brown, p. 7, ll. 9–12.

⁴⁰ *English Lyrics*, ed. Brown, p. 25, ll. 29–32.

something very much like the voice of labour: *The Song of the Husbandman*, formerly dated to the very beginning of the fourteenth century, but now thought to be later.⁴¹ The poem speaks at once in terms of complaint:

Ich herde men upo molde make mucche mon
Hou he beth itened of here tilyynge:
Gode yeres and corn bothe beth agon;
Ne kepeth here no sawe ne no song synge.
Nou we mote worche, nis ther non other won,
Mai ich no lengore lyve with mi lesinge;
Yet ther is a bitterore bid to the bon:
For ever the furthe peni mot to the kynge.

.
Luther is to leosen ther-ase lutel ys,
And haveth monie hynen that hopieth ther-to.
The hayward heteth us harm to habben of his;
The bailif bockneth us bale and weneth wel do;
The wodeward waiteth us wo, that loketh under rys;
Ne mai us ryse no rest, rycheis, ne ro.
Thus me pileth the pore, that is of lute pris.
Nede in swot and in swynk swynde mot swo.

.
Thus me pileth the pore and pyketh ful clene,
The ryche me raymeth withouten eny ryht;
Ar londes and ar leodes liggeth fol lene,
Thorh bidding of baylyfs such harm hem hath hiht.
Meni of religioun me halt hem ful hene,
Baroun and bonde, the clerik and the knyht.
Thus wil walketh in lond, and wondred ys wene,
Falsshipe fatteth and marreth wyth myht.
Stont stille y the stude, and halt him ful sturne,
That maketh beggares go with bordon and bagges.
Thus we beth honted from hale to hurne;
That er werede robes, nou wereth ragges.
Yet cometh budeles, with ful mucche bost:
'Greythe me selver to the grene wax.
Thou art writen y my writ, that thou wel wost!'
.
Thus wakeneth in the world wondred and wee
As god is swynden anon as so forte swynke.⁴²

Serious points are made one after another: a twenty-five per cent tax is imposed by the king (l. 8); the agents of authority – hayward, bailiff and

⁴¹ Richard Newhauser reviews the arguments in his recent full treatment of the poem and offers 1320–40: 'Historicity and Complaint', in *Studies in Harley Manuscript 2253*, ed. S. Fein (Cambridge, 1999), pp. 42–56.

⁴² *Medieval English Political Writing*, ed. Dean, pp. 251–3 (ll. 1–8, 13–20, 25–39, 71–2).

woodward (ll. 15–17) – are threatening; despair is the only foreseeable future (l. 20). This sequence ends with a classic negative statement, using language often re-employed in this social context (ll. 19–20).

The weight of steady, damning alliterative statement makes its own grim music in this poem, and the tension mounts as wider and more specific accusations are made about the 'ryche' (l. 26), lords and priests (ll. 29–30). The situation of the labourers is worsening (ll. 35–6), and added to this is the malign power of law, with the green wax which beadles use to seal a writ before serving it (ll. 37–8). As a result the farmer has sold his seed corn and his land lies fallow. In this situation there are bred 'monie beggares bolde' (l. 67), a social problem that could, and the poem argues should, be administered away by some orderly authority. Yet there is little hope of that. With even the rye rotted by the foul weather, the poem ends in ll. 71–2 on the note of despair already touched upon in l. 20.

Beneath these natural and authoritarian pressures, Hill sees the poem as depicting a developing conflict between 'the old way of farming' and the pressures of an emerging money economy.⁴³ Justice has argued that the poem is written from a position above the labouring classes and further that, since it urges that if taxation is not relieved all will become reduced to a labourer's level, the viewpoint and voice is socially general, not specific to the labouring class.⁴⁴ A similar argument was offered by George Kane in his sweeping rejection of any voice of dissident labour in all of the 'protest' poems of the period.⁴⁵ Against this view, Newhauser sees the poem in the context of others, in French, which 'take the rural poor as examples of unjust oppression' and notes that in comparison *The Song of the Husbandman* 'gives more voice to the loss sustained by the *vilain*' – though he also stresses its tendency towards allegory, a clericizing feature consistent with the authorship that seems probable.⁴⁶ Looking at the thrust of the argument and its insistence on the negative impact made on the lives of those who work on the land, hired or servile labourers as well as lessors and owners, it seems on balance that *The Song of the Husbandman* does largely represent the voice of labour, and so justifies the title by which it is usually known. This makes it a rare phenomenon in the fourteenth century, a realization of the labouring consciousness and voice from some intellectual and social distance, a formation found more commonly in our own period through the work of novelists like Emile Zola and, in Britain, Raymond Williams and Margot Heinemann.

⁴³ Hill, *The Manor, the Plowman*, p. 26.

⁴⁴ Justice, *Writing and Rebellion*, p. 135, n. 69.

⁴⁵ G. Kane, 'Some Fourteenth Century "Political" Poems', in *Medieval English Religious and Ethical Literature*, ed. G. Kratzmann and J. Simpson (Cambridge, 1986), pp. 82–91 (pp. 85–6).

⁴⁶ Newhauser, 'Historicity and Complaint', pp. 48–9 and 53–4.

Labour in major texts

In addition to the range of texts that has been discussed, the force and recurrence of the problems faced by labouring people are also clearly registered in literature when several major texts realize vigorously an oppositional and dissident voice; it is normally a voice to be opposed, contained or somehow disarmed – but at least a voice to be represented, listened to, even feared.

There is here neither space nor need to elaborate in detail on the way labour is represented in texts as well known as the mystery cycles, Langland's *Piers Plowman* or Chaucer's *Canterbury Tales*, but some general points are worth making. Elements of their representations of labouring life have already been discussed, but these major texts also have a treatment of the labouring theme which is embedded in the flow of their material, and the three of them are surprisingly similar and, in the light of the material already discussed, familiar in this respect.

The Old Testament part of the mystery cycle deals very early, as has been indicated, with the question of unruly labour in the case of Cain. It then indicates that the Christian system has solved the problem not simply by prohibition, but by offering a process of examples in time. Jacob, himself a selfish farmer, learns penance and is finally pardoned; Abraham, another farmer, fulfils in literal faithfulness the role of Abel even under severe strain on his obedience. Labour is seen to be in place, operating properly. The Christian story can move on. The same movement is found in the second 'New Testament' part of the cycles. The shepherds at York and in the N-town cycle represent nothing but Abel and Abraham brought up to date, men aware of their role, and happy to fulfil it with faith. The Chester shepherds, however, are full of grumbles, and between them they lay out a fine version of labouring complaint before being incorporated into the angel-borne mystery of the saviour's birth. Wakefield, as is well known, sees a highly dramatic version of this, with two *Shepherds'* plays outlining the theme. The first is a vivid version of Chester, while the second has become so elaborated, comic and even grotesque that it may well defeat its dramatic purpose and succeed (as Milton has been charged) in making the diabolic more interesting than the holy. But in spite of whatever may have gone on in the imagination of the Wakefield Master, the movement of the whole cycle is the same; here too the shepherds are fully acculturated back into the hegemonic Church, and into both faith and work.

It is evident that the consenting recruitment of labour is an important preliminary to the full development of the Christian message, and there are very few elements of labour in the plays other than these sequences: Noah does do some comic carpentering, and Joseph occasionally refers to his trade; the Towneley torturers take a craftsman's approach to their diabolic

nailing of Christ on the Cross; and there are some interestingly rebellious lower-class women who resist the soldiers in the N-town Massacre of the Innocents. But those are casual references; the structure of the plays is to acculturate labour early and move on with the development of the spiritual Christian theme.

That is also the pattern found in Langland. In the Prologue, after a few lines about people 'Worchyng and wondryng as pe worlde ascuth',⁴⁷ a clericized satirical voice deals almost entirely with religious and governmental problems for the rest of the first passus, very much like the structure found in *The Simonie*. Then the first dream develops through its analysis of the state, meed, and social corruption. But if it seems labour has been forgotten, the second dream reverses that. Much in the sins, especially Gluttony, is to do with the lower orders, and then Piers Plowman's pilgrimage deals firstly with the correct ordering of the world's labour – Piers lays out roles for people – and then tackles the problems of those wasters who will not work. The poem next develops the idea that Truth will send to all good Christians a pardon, and it is clear, and quite strongly stressed, that 'Alle libbyng laborers þat lyuen with here handes' will be included.⁴⁸

But they, like Piers himself, are abandoned as the pardon is revealed, found to be merely an exhortation to 'do well' and live in a state of grace. Piers and the poem lose interest in the physical world, and *Activa Vita* will later be firmly re-directed towards a spiritual life. Langland's shift of focus is very much like that of the mystery cycles. This is a matter of policy, not prejudice; it would be quite wrong to suggest it is because he has no interest in the labouring poor, as might seem the case from the Prologue. In fact, not long before the pardon scene drops all primary interest in the physical, there appears one of the finest and fullest representations of what a medieval labouring structure of feeling might have included:

Ac þat most neden aren oure neyhebores and we nyme gode hede,
As prisoners in puttes and pore folke in cotes,
Charged with childrene and chief lordes rente.
Pat they with spynnyng may spare spenen hit in hous-huyre,
Bothe in mylke and in mele to make with papelotes
To aglotye with here gurlles that greden aftur fode.
And hemsulue also suffre muche hungur
And wo in wynter tyme and wakyng on nyhtes
To rise to þe reule to rokke þe cradel,
Bothe to carde and to kembe, to cloute and to wasche,
To rybbe and to rele, rusches to pylie,
That reuthe is to rede or in ryme shewe
The wo of this wommen þat wonyeth in cotes
And of monye oper men þat moche wo suffren,

⁴⁷ Langland, *Piers Plowman: The C Text*, p. 198, Prologue, l. 21.

⁴⁸ Langland, *Piers Plowman: The C Text*, p. 372, Passus IX, l. 58.

Both afyngrede and afurste, to turne þe fayre outward
And ben abasched for to begge and wollen nat be aknowe
What hem nedeth at here neyhebores at noon and at eue.⁴⁹

A passage as powerful and sensitive as this will hardly appear again before Mrs Gaskell writes *Mary Barton* in 1848, but this poem, not unlike mid-Victorian liberalism, recommends no more to these people than the 'Patient Poverty' that is the recommended social stance in *Piers Plowman*.

Chaucer's treatment of labour is different in topic and tone, but is inherently the same in structure. After representing ideal labour in his 'General Prologue' with the Plowman and after starting the sequence of the tales hierarchically with the Knight, he allows pilgrims much like the inhabitants of Glutton's tavern to break into the sequence of the tales, with Miller, Reeve and then Cook jangling their way across the pages. Some scholars have seen this as his way of representing the voices of dissent that had climaxed in 1381, before silencing them first with the 'Man of Law's tale of human patience and divine order, and the whole movement of the tales to end at Canterbury with the Parson's sermon.⁵⁰ That in itself is a structure like the one seen in both the plays and in Langland. But there is more going on than this. In both plot and style, the tales of the Miller and the Reeve tell their own story of the clericalization of labour.

The sexual and stylistic victors in both tales are clerks – the Oxford scholar Nicholas succeeds with Alisoun, humiliating her husband and also the very minor clerk Absolon. In the 'Reeve's Tale', similarly, the two Cambridge scholars master the brutish Miller and his family. Neither of the tellers, for all their jangling vigour as representatives of the lower orders, presents the success of a churl. Equally, the wit of the tales is in the mode of secular clerisy – referential, ironic, and always poetic – that Chaucer exemplifies so well. The churls' tales are not in fact 'jangling' at all; they have a cleverer, wittier, more referential range of focalization than that. Miller and Reeve, that is, foreclose themselves as anti-establishment voices, as both their form and content are drawn into the world of clerical hegemony. But it is very striking that the 'Cook's Tale', which has no trace of a clerical direction, is the only one that is unfinished and jangles its way to a sudden stop. It was itself, then, foreclosingly clericalized in some manuscripts, mostly with the robust gentry tale of *Gamelyn*; but in one case it was fully, if improbably, clericalized when the Cook was given a legend of the Virgin to tell. Whatever the complications of the Cook's low-life narration, it is generally clear that Chaucer's pattern of movement is to represent labour in its good and bad aspects, and then to move on – just as did the mystery cycles and the process of *Piers Plowman*.

⁴⁹ Langland, *Piers Plowman: The C Text*, pp. 373–4, Passus IX, ll. 71–87.

⁵⁰ See S. Knight, *Geoffrey Chaucer* (Oxford, 1986), pp. 67–9; L. Patterson, *Chaucer and the Subject of History* (London, 1991), chap. 5, 'The Miller's Tale and the Politics of Laughter'.

A full treatment of the literature of medieval labour would have other points to make. The outlaw poems, notably those of Robin Hood, but going back as far as the Anglo-Norman *Outlaw's Song of Trailbaston* of about 1305, can be taken as political texts offering a kind of consciously-voiced Utopia to the audience of labourers who feel oppressed by the actually and also symbolically oppressive figures of sheriff, forester and the like, including Chaucer's Yeoman. Equally, the beast fables that became widely popular may also relate to the role of labour. They can either be read as trickster stories with heroes operating in fantasy at least on behalf of the poor, like the fox of *The Fox and the Wolf*, or as fables of humble animals misled by crafty ones as in the so-called *Song on the Times of Edward I*, which Coss dates to the 1320s or 1330s.⁵¹ The beast fables can also be read as stories that generically bestialize and so belittle the poor, depriving them discursively of political force by animalizing their voice. There are many references of this kind in the chroniclers' account of the 1381 rising, as Paul Strohm indicates.⁵² Chaucer's own *Parlement of Foules* and 'Nun's Priest's Tale' can be seen as medieval versions of Orwell's *Animal Farm* in this way, as can Henryson's *Fables*.

But outlaws and animals, as figures to represent labour, constitute outlying parts of the large and varied domain of the writings in which medieval labour finds aspects of a voice and through which we can see something of its complex and resistant structure of feeling. If it were a matter of the Luttrell Psalter or the *Trés riches heures*, then it would seem that medieval labour was seen as faithful, patient, as richly represented as it was richly productive, content to speak in a complaint-free hegemonic voice.⁵³ And there are some texts like that, such as the early fifteenth century poem that Robbins calls 'Occupations of the Months', where the voice seems to be that of the wealthy peasant, quite possibly still a bondsman:

Januar	By thys fyre I warme my handys;
Februar	And with my spade I delfe my landys.
March	Here I sette my thyng to sprynge;
Aprile	And here I here the fowlys synge.
Maij	I am as lyght as byrde in bow;
Junij	And I wede my corne well I-now.
Julij	With my sythe my mede I mawe;
Auguste	And here I shere my corne ful lowe.
September	With my flayll Ierne my brede;
October	And here I saw my whete so rede.
November	At Martynmasse I kylle my swyne;
December	And at Crystemasse I drynke redde wyne. ⁵⁴

⁵¹ Wright's *Political Songs*, ed. Coss, p. xxxix (Coss's comment); pp. 195–205 (text).

⁵² P. Strohm, *Hochon's Arrow* (Princeton, 1992), pp. 33–56.

⁵³ See Emerson and Goldberg in this volume.

⁵⁴ *Secular Poems*, ed. Robbins, p. 62, ll. 1–12.

But such undisturbed productivity was not, as we know, the history of labour in the fourteenth century, and in the same way the literary texts are, as I hope to have shown, marked strongly with some signs of an emergent voice of labour, though it seems unlikely to have been produced in this literary form by labouring people themselves. It may well be that much of the material about labour is written by authors themselves born into that class, but who have then moved on in religion – a motion they often impart to the voice of labour complaint itself. In spite of, and in part through, this process of hegemonic closure, the voices of labouring people can be discerned, with difficulty, with interference, but also with persistent audibility, in the literature of medieval labour. It was not, many were realising, and some were saying, God alone who sped the plough.

Piers Plowman and the Problem of Labour

DEREK PEARSALL

If William Langland had known there was going to be a conference on the subject of 'The Problem of Labour', he would have been sure to have been in attendance, in order to give his opinion on the matter. For, though it may sound a strange thing to say about an essentially religious poem, the problem of labour is central to his poem of *Piers Plowman*. It is central to his ideas about the reform of society and it is central to his programme of spiritual renewal. The secular and the religious are never far separated in Langland. The religious is the political, the political is the personal, and the personal, the idea of personal identity, is always perceived as rooted in the *work* that a person does. Langland draws on the tradition of estates-satire, as does Chaucer in the General Prologue to the *Canterbury Tales*, but there is the difference that in Chaucer the work that a person does is part of his 'character', where in Langland it is the means through which his contribution to the Christian community is assessed.

Even before his poem has got fully under way, Langland is already making a key distinction, in the vision of the Field Full of Folk, between those who are true workers in their vocation, whether secular or spiritual, and those who are idle, or who do no useful work, and who batten upon those who do. Ploughmen and true hermits are the representatives of the former; minstrels, false beggars, false pilgrims, false hermits and friars are amongst the many representatives of the latter group. The ploughman was obviously a powerful image of the good honest Christian worker for Langland and his audience, as it was for Chaucer, and Langland eventually makes a Ploughman the hero and agent of grace in his poem – his Beatrice. He also returns again and again, with self-revealing insistence, to the groups who fail to demonstrate the salvific function of labour – minstrels, beggars, false hermits and friars. I say 'revealing', because, as Talbot Donaldson long ago made clear, they are the groups with whom Langland most closely identified himself.¹ His own vocation is uncomfortably tangled up with theirs.

¹ E. T. Donaldson, *Piers Plowman: The C-Text and Its Poet*, Yale Studies in English 113 (New Haven, CT, 1949), pp. 130–55.

Langland's model of the active Christian society was the time-honoured hierarchy of the Three Estates – the prince, the priest and the peasant. But he is aware that it does not satisfactorily account for an increasingly large class of respectable and hard-working people with a necessary function in society which is quite separate from that of the other three. So he says, non-committally, of merchants:

And summe chesen chaffare – thei cheveth the better,
As it semeth to oure sighte that suche men ythryveth.
(Prologue, ll. 33–4)²

He allows them, but he does not endorse them: there was no orthodox Christian doctrine that did, but Langland shows his usual alertness and flexible response to the realities that surrounded him in thus countenancing what had no official place in the scheme of things.

When *Piers Plowman* finally appears, he is charged with the responsibility of supervising the setting-up of the good Christian community, which, given Langland's preoccupation with work, and given the predominantly agrarian tradition of labour, takes the allegorical form of the Ploughing of the Half-Acre. It is a community in which everyone has his or her place. The Knight serves it by fighting for the realm and keeping down foxes (it may be a little surprising to the modern reader to find Langland endorsing as a Christian duty the main leisure activity of the upper classes, but I suspect that Langland, in his conservative radicalism, had a lot in common with Mr Blair). Ladies do their part by sewing chasubles for chaplains and sacks for grain. All the rest of the work is done by agricultural labourers (merchants do not appear in this highly traditional allegory of the Ploughing). It is a nostalgic vision of the ideal Christian community.

But it is one in which reality, Langland being the kind of writer he is, soon begins to assert itself. Reality takes the form of the shirkers, the work-shy, the welfare scroungers, or, as Langland puts it, the wasters, who park themselves on the edge of the field with their cans of lager and help plough the field with 'hey trollilolly':

And thenne seet somme and songen at the ale
And holpe erye this half-aker with 'hey trollilolly!
(Passus VIII, ll. 122–3)

When Piers reproves them, they complain that they are disabled and infirm and cannot work, but they will pray for Piers and the success of his workers and hope for his alms: they are believers in the trickle-down theory, evidently. Piers knows how to deal with these idle and shiftless people. If there is something really wrong with them, he says, they will be provided for by the community,

² For all references and quotations from *Piers Plowman*, see *Piers Plowman: An Edition of the C-text*, ed. D. Pearsall (London, 1978).

as will honest hermits and true friars. But if they are only pretending to be sick and disabled (using for instance the trick of laying their legs *alery* [Passus VIII, l. 129]), then they will feed on barley-bread and drink water from the brook. In other words, there will be more stringent tests of what constitutes sickness or disability and those who do not meet the criteria will have to fend for themselves, or beg, or go on to absolutely minimum welfare provision.

But not all these people are so easily intimidated, especially when, as now, the economy is on the upturn, and they dismiss Piers and his exhortations:

Thene gan Wastor to wrath hym and wolde have yfouhte
And to Peres the plouhman profrede to fyhte
And bad hym go pisse with his plogh, pyvische shrewe!
(Passus VIII, ll. 149–51)

Piers calls in the Knight, as statutory authority, to make Waster do what he tells him. Do go back to work, there's a good chap, says the Knight, or I'll have the law on you; but Waster is as contemptuous of the law as he is of Piers:

'I was nat woned to worche,' quod Wastour, 'and now wol I nat
bygynne!
And leet lyhte of the lawe and lasse of the knyhte
And sette Peres at a pes to playne hym whare he wolde.
(Passus VIII, ll. 164–6)

Piers has no alternative now but to call in Hunger to discipline people into work and cure them of work-shyness. His action, though not literally intelligible, has the logic of allegory. In one sense, Piers is a chancellor of the exchequer who has to meet an election promise to maintain full employment and who now has to administer a sharp dose of deflation in order to force people to accept lower wages and a lower standard of living. In another sense, he is the manager of a farm cooperative who now faces (rather than brings about) the inevitable consequence in low productivity of the idleness and incompetence of the workforce.

Anyway, Hunger drives everyone back to work, even those who had been sick and maimed:

Blynde and broke-legged he botened a thousand
And lame men he lechede with longes of bestes.
(Passus VIII, ll. 188–9)

Piers, as manager of the economy, is proud and pleased with himself for his economic realism. It is an ugly self-satisfaction, but he has qualms. He knows he has a Christian responsibility to the poor and needy. 'Give to all who ask', say the Gospels, unequivocally (Luke 6. 30); yet he still thinks he must discriminate between the deserving poor and the undeserving poor. This discrimination was becoming more difficult in the late fourteenth century, for a number of reasons. One was that the changed economic conditions

following the Black Death created a new fluidity of labour and a class of itinerant labourers seeking higher wages who were perceived as little better than criminal vagrants. It was very difficult for employers and the authorities to come to terms with the idea of a labour-market, the idea that people might legitimately seek higher wages. The only thing they could think of was to impose legislation to control wages and mobility and put people in prison if they broke the law. It is these itinerant labourers who are characterized in the parliamentary petition of 1376 as vagrants who wantonly become beggars so as to lead an idle life, even though they are able-bodied and could well serve the community through their work.³ It is these itinerant labourers who are embodied in the threatening aggressiveness of Langland's Waster, the fear of the land being over-run by able-bodied vagrants and beggars.

Yet many of them, for whatever reason, are poor and needy, and Piers, though he cannot provide the 'kind of scholastic critique of employability in able-bodied vagrants' that Brian Tierney says was the real desideratum,⁴ cannot resist the call upon his Christian compassion: they are his 'bloody brethren', redeemed like him through Christ's blood. He asks Hunger what to do, Hunger now standing for the ruthlessly minimal welfare state, and Hunger's advice is rather like what Piers said earlier (this is the kind of advisor you like to listen to). There is an absolute scripture-driven obligation upon everyone to work (Genesis 3. 19, Psalm 127. 2): those who cannot work because they are sick or maimed, or who do not work because they are engaged in some legitimate spiritual vocation, are to be maintained by the community; those who refuse to work are to be made to work by feeding them on such disgusting food – horse-bread and hound's-bread – that they will long for something different, even work. The thinking is cruel, and the analysis unrealistic (especially since it takes no account of the possibility of chronic or structural unemployment), but it is not so very different from the thinking that produced the traditional English Poor Law.

But it is all rather theoretical. Piers has in any case no power to administer any such law, and the next thing that happens in the unregulatable economic cycle is that there is a bumper harvest. Hunger is put to sleep, and labourers again become very uppity, demanding higher wages and better food:

Laborers that han no lond to lyve on but here handes
Deynede noght to dyne a-day of nyhte-olde wortes;
May no peny-ale hem pay ne no pece of bacoun
But hit be fresh flesch or fisch, yfried or ybake,
And that *chaut* or *pluchaut* for chillyng of his mawe.
And but yf he be heyliche yhuyred elles wol he chydre
And that he was werkeman ywrouhte warien the tyme.

(Passus VIII, ll. 330–6)

³ *The Peasants' Revolt of 1381*, ed. R. B. Dobson, 2nd edn (Basingstoke, 1983), pp. 72–4.

⁴ B. Tierney, *Medieval Poor Law* (Berkeley, CA, 1959), p. 119.

Langland ends in desperation, as he often does, with apocalyptic prophecies of what will happen unless everybody stops behaving badly.

I have been quoting from the C-text, but the material I have been using is also in B, written soon after the parliamentary petition of 1376. In the next passus, however, devoted to the Pardon sent by Truth to all those who are obedient to Piers's law (according to how well they do their *job*), new material is introduced in C which shows Langland's dissatisfaction with the conclusions he had come to in B, or perhaps reflects changing conditions. It is characteristic of Langland as a poet never to be satisfied with easy or indeed any answers, always to look behind appearances, to see what is different in what seems familiar, and it is the intensity of this imaginative vision that now focuses again upon the problem of labour.

In his account of the recipients of Truth's Pardon, Langland gives unexpected attention to merchants – unexpected, as indicated above, because they have no accepted place in the theocracy of the Three Estates. Yet they are not going to go away, and Langland slyly includes them in the margins of the Pardon (Passus IX, l. 22): their right to receive it is qualified and marginal; they are not going to be released from sin, only from a certain number of years in purgatory. But Truth also sends them a letter under his privy seal (that is, not for public consumption) telling them that their business is perfectly acceptable and they should go about it with a will, make a profit, and then use the proceeds for good causes. The merchants, we are told, 'wept for joy' when they heard this (Passus IX, l. 41), rather as I imagine a modern entrepreneur would weep for joy if he were told he could keep his monopoly but he was expected to give generously to his chosen charities.

Langland is painfully aware of the necessity of trade and exchange, though he does not like it. He also sees something else that was happening in the late fourteenth century, again partly as a result of the economic changes brought about by the Black Death. This was the increasing rate of migration into the towns, as the growing textile industries, especially in London, sucked in cheap labour. These workers, many of them immigrants from the provinces and from abroad, were employed, or employed part-time, or sporadically employed, at wages that left them close to starvation.⁵ A new class of the chronic urban poor was being created who constituted a new problem for the theologians of poverty, a problem they mostly dealt with by treating it as invisible. For indeed there was little that traditional thinking could do with such people. 'If a man does not work, neither shall he eat' (2 Thessalonians 3. 10)⁶ was a lesson imparted in both Testaments, and it seemed just.

⁵ See M. Mollat, *Les pauvres au moyen âge: étude sociale* (Paris, 1978), pp. 198, 200, 242, 296, 298; also D. Pearsall, 'Poverty and Poor People in *Piers Plowman*', in *Medieval English Studies Presented to George Kane*, ed. E. D. Kennedy, R. Waldron and J. S. Wittig (Cambridge, 1988), pp. 167–85 (pp. 170–3).

⁶ Compare Genesis 3. 19.

But what to do in this new world where there is not enough work to go round or where employers find it is in their interests to create pools of unemployment or underemployment so as to keep wages down? No-one knew, least of all Langland, but he did not avert his gaze from what was happening. He gives a long account of what is to happen to beggars in relation to the Pardon, and mostly it is the message as before – the old, blind, infirm, maimed, sick, all those unable to work through no fault of their own, the archetypally deserving poor, are alone worthy to receive Christian charity. For the rest, there is a new and non-scriptural discriminatory injunction drawn from the Distichs of Cato, *Cui des, videto* ('Be careful whom you give to').⁷

In the midst of this, Langland turns aside momentarily to recognize the new class of the chronic urban poor, who maintain a bare living on the most menial jobs in the textile industry, working under the exploitative 'putting-out' system, and also doing ill-paid, home-based, part-time work in making tapers and taking in washing:

Woet no man, as I wene, who is worthy to have;
Ac that most neden aren oure neyhebores, and we nyme gode hede,
As prisoners in puttes and pore folk in cotes,
Charged with childrene and chief lordes rente;
That they with spynnyng may spare, spenen hit on hous-huyre,
Bothe in mylke and in mele, to make with papelotes
To aglotye with here gurlles that greden aftur fode.
And hemsulve also soffre mucche hunger,
And wo in wynter-tymes, and wakyng on nyhtes
To rise to the reule to rokke the cradel,
Bothe to carder and to kembe, to cloute and to wasche,
And to rybbe and to rele, rusches to pylie,
That reuthe is to rede or in ryme shewe
The wo of this wommen that wonyeth in cotes;
And of monye other men that moche wo soffren.

(Passus IX, ll. 70–83)

It is with some shock that we find that Langland is describing the lives of women, specifically, who live under these conditions. It seems extraordinary that he should thus recognize the most invisible of all the invisible classes, and I am not quite sure how to read the passage. I should like to think he is focussing on women throughout the passage, but I suspect he identifies women as his subject because it makes the group more appropriately pitiful and less potentially dangerous. They can in a way constitute a new safe class of the deserving poor.

I have focused on three passages in *Piers Plowman*, and I am not going to

⁷ *Disticha Catonis*, ed. M. Boas (Amsterdam, 1952); English translation in *Minor Latin Poets*, ed. J. W. Duff and A. M. Duff (Cambridge, MA, 1934), Sententia 17.

trace the development of the theme of the problem of labour throughout the poem. It does in any case receive less attention in the middle part of the poem, the more individual-based quest for Dowel. But in the penultimate passus, Langland describes the setting-up of the newly redeemed Christian community through the agency of Grace. It is a community in which there is no problem of labour, in which all trades, crafts and professions are made participants in the order of Grace:

Divisiones graciaryum sunt

Som men he yaf wyt with wordes to shewe,
To wynne with treuthe that the world asketh,
As prechours and prestes and prentises of lawe:
They leely to lyve bi labour of tonge
And bi wit to wissen othere as grace hem wolde teche.
And somme he kende hem craft and konnyng of syhte,
With sullyng and buggynge here bileve to wynne.
And som he lered to laboure a londe and a watre
And lyve by that laboure a leele lyf and a trewe.
And somme he tauhte to tulye, to thecche and to coke,
As here wit wolde when the tyme come.
And somme to devyne and to devyde noumbres,
To kerve and to compace and coloures to make,
And some to se and to saye what sholde bifalle
Bothe of wele and of wo and be ywaer bfore,
As astronomens thorw astronomye, and philosopheres wyse.
And somme to ryde and somme to rekevere that unrihtfulliche
was wonne;
He wissede men wynne hit ayeyn thorw wihtnesse of handes
And fechen hit fro false men with Foleviles lawes.
And somme he lered to lyve in longyng to be hennes,
In poverte and in pacience to preye for alle cristene.
And al he lered to be lele, and uch a craft love othere,
Ne no boest ne debaet be among hem alle. (Passus XXI, ll. 229–51)

It does not last, of course: soon there is dissension and conflict caused by greedy competitive self-interest, with a corrupt brewer as the chief spokesman for private enterprise. But in the meantime there is the idealized vision of the working community, all its members in harmony, and the question of to what extent Langland has gone into a loop of Utopian fantasy. Nearly completely, I would say, but James Simpson has argued warmly that this is a blueprint for a new urban society, adumbrated in Langland's time in the lay fraternities that were springing up in towns in imitation of the rural parish fraternities.⁸ Caroline Barron is also keen on

⁸ J. Simpson, "'After Craftes conseil clotheth yow and fede': Langland and London City Politics", in *England in the Fourteenth Century: Proceedings of the 1991 Harlaxton Symposium*, ed. N. Rogers (Stamford, 1993), pp. 109–27.

these urban fraternities,⁹ but I am not sure how important they were or to what extent confined to an elite. I find it hard to believe that there was anything in reality that at all resembled Langland's vision.

It was remarked above how much urgency was imparted to Langland's consideration of the problem of labour by the problem he had with his own work, whether as a writer or as a jobbing beadsman. He returns to the question of his own life and work on a number of occasions in the B-text, quite briefly; but he gathers all his concerns in a single lengthy passage in the C-text, indicating how prominent it had become in his mind. He feels guilty about what he does, that is, earning his living by going about and receiving gifts for saying prayers for people and acting as a kind of spiritual Good Samaritan (it is interesting how that term has to be re-de-secularized). Basically he feels that he is not much more than a kind of beggar, nor does he feel that what he does is much different from what a friar does – and about friars he feels deeply ambiguous. As for his writing, he cannot justify it in any orthodox or traditional way, and so he cannot help seeing himself as a sort of minstrel, a very low form of life indeed. His little vignette of his London life is wry, quizzical, self-aware, yet far from humble. He *knows* that what he does is pleasing to God, he just cannot find a way of explaining *why* it is:

Thus I awakede, woet God, whan I wonede in Cornehull,
Kytte and I in a cote, yclothed as a lollare,
And lytel ylet by, leveth me for sothe,
Amonges lollares of Londone and lewede ermytes,
For I made of tho men as resoun me tauhte. (Passus V, ll. 1–5)

In the following vision, he meets with Conscience and Reason, who interrogate him about his mode of employment in a severe and catechetical manner. His first response is semi-jocular, embarrassed, ironic, probably a mistake, and they return to the charge:

'Can thow serven,' he sayde, 'or syngen in a churche,
Or koke for my cokeres or to the cart piche,
Mowen or mywen or make bond to sheves,
Repe or been a rypereve and aryse erly,
Or have an horn and be hayward and lygge theroute nyhtes
And kepe my corn in my croft fro pykares and theves?
Or shap shon or cloth, or shep and kyne kepe,
Heggen or harwen, or swyn or gees dryve,
Or eny other kynes craft that to the comune nedeth,
That thou betere therby that byleve the fynden?'
'Sertes,' I sayde, 'and so me God helpe,
I am to wayke to worche with sykel or with sythe

⁹ C. Barron, 'William Langland: A London Poet', in *Chaucer's England: Literature in Historical Context*, ed. B. Hanawalt (Minneapolis, MN, 1992), pp. 91–109.

And to long, lef me, lowe to stoupe,
To wurche as a werkemen eny while to duyren.
 'Thenne hastow londes to lyve by,' quod Resoun, 'or lynage ryche
That fynde the thy fode? For an ydel man thow semest,
A spendour that spene mot or a spille-tyme,
Or beggest thy bylyve aboute at men hacches
Or faytest uppon Frydayes or feste-dayes in churches,
The which is lollarne lyf, that lytel is preysed
There ryhtfulnesse rewardeth ryht as men deserveth.
 Reddet unicuique iuxta opera sua.
Or thow art broke, so may be, in body or in membre,
Or ymaymed thorw som myshap, whereby thow myhte be
excused?' (Passus V, ll. 12–34)

More serious now, the dreamer Will begins an explanation of what he does for a living, and how he justifies it as his spiritual vocation. He carefully secures himself from any charge that his life is irregular or bohemian by taking up the strictest position on the privileges of the clerisy and by loudly deploring the social mobility that is jeopardising the traditional hierarchies of church and state. He ends by justifying his life with renewed confidence, and explaining it as his version of the search for the pearl of great price. He ends on a high note, only slightly deflated by the response of Reason and Conscience, which has a slightly weary 'We've heard this all so many times before from people like you' air.

'So hope I to have of hym that is almyghty
A gobet of his grace, and bigynne a tyme
That alle tymes of my tyme to profit shal turne.'
 'I rede the,' quod Resoun tho, 'rape the to bigynne
The lyf that is louable and leele to thy soule' –
 'Ye, and contynue,' quod Conscience; and to the kyrke I wente.
 (Passus V, ll. 99–104)

In a recent essay, Anne Middleton associates this passus even more closely with the problem of labour by treating it as an allegorical version of an examination before justices administering the Statute of Labourers.¹⁰ Will portrays himself, that is, as someone brought before the justices as an able-bodied and itinerant beggar. She finds in the language used by Conscience and Reason echoes of the actual phrasing of inquisitorial records, and suggests that the long passage on the evils of social mobility – how bondmen and bastards have become bishops, shoemakers been made knights, and lords' sons become labourers – is prompted by the Statute of Cambridge of 1388, in which it became clear that the authorities were as much concerned

¹⁰ A. Middleton, 'Acts of Vagrancy: The C Version "Autobiography" and the Statute of 1388', in *Written Work: Langland, Labor, and Authorship*, ed. S. Justice and K. Kerby-Fulton (Philadelphia, 1997), pp. 208–317.

about social mobility as they were about itinerancy. It was not so much now that landless wage-labourers were threatening to become vagabonds, but that they might become respectable and take over the work of their betters.

Much in Langland's account of the problem of labour offers itself seductively to the present-day analyst of contemporary approaches to the problem. There are many moments in talking about Langland where I have been tempted to make an analogy with 'New Labour' and 'Workfare'; but such things are usually a mistake, and I resist them.

Household, Work and the Problem of Mobile Labour: The Regulation of Labour in Medieval English Towns

SARAH REES JONES

The regulation of labour in later medieval towns is nearly always discussed by historians within the context of either the craft guilds or the household.¹ But craft guild organization was not a static and ever-present feature of urban life. Many historians have recognized that government policy, both royal and local, had a profound impact on the organization of craft associations in the century after the Black Death.² Some have argued that the imposition of craft associations upon artisan groups was a deliberately oppressive policy imposed by mercantile elites who wished to ensure their political and economic supremacy in urban government.³ Others have argued, by contrast, that craft associations remained largely voluntary organizations that offered real benefits to their members.⁴

From this wide range of views, we should distill one fundamental area of

¹ H. Swanson, *Medieval Artisans* (Oxford, 1989); P. J. P. Goldberg, *Women, Work, and Life Cycle in a Medieval Economy: Women in York and Yorkshire c. 1300–1520* (Oxford, 1992); B. A. Hanawalt, "'The Child of Bristowe' and the Making of Middle-Class Adolescence', in *Bodies and Disciplines*, ed. B. A. Hanawalt and D. Wallace (Minneapolis, 1996), pp. 155–79; P. J. P. Goldberg, 'Masters and Men in Later Medieval England', in *Masculinity in Medieval Europe*, ed. D. M. Hadley (Harlow, 1998), pp. 56–70.

² A. Green, *Town Life in Fifteenth-Century England*, 2 vols. (London 1894), II, 134–6; E. Lipson, *The Economic History of England I: The Middle Ages* (London, 1959), pp. 379–80; Swanson, *Medieval Artisans*, pp. 110–13; S. H. Rigby, *English Society in the Later Middle Ages: Class, Status and Gender* (London, 1995), pp. 157–60.

³ H. Swanson, 'The Illusion of Economic Structure: Craft Guilds in Later Medieval English Towns', *Past and Present* 121 (1988), 29–48; R. H. Hilton, *English and French Towns in Feudal Society* (Cambridge 1992).

⁴ E. Miller and J. Hatcher, *Medieval England: Towns, Commerce and Crafts 1086–1348* (Harlow, 1995), pp. 369–79; G. Rosser, 'Crafts, Guilds and the Negotiation of Work in the Medieval Town', *Past and Present* 154 (1997), 3–31; P. J. P. Goldberg, 'Craft Guilds, the Corpus Christi Play and Civic Government', in *The Government of Medieval York*, ed. S. Rees Jones, *Borthwick Studies in History* 3 (York, 1997), pp. 141–63.

agreement. The vast majority of the documentary evidence for the internal organization of guilds survives only from the period after the Black Death, and indeed largely from the fifteenth and sixteenth centuries: that is to say, from the very period that administrative changes were having their greatest effect.⁵ We cannot therefore assume that the forms of regulation recorded in those records were the same as those that preceded the Black Death. Furthermore, although the number of craft associations multiplied in the fifteenth century, both in London and in provincial cities, they still represented only a proportion of the workforce, excluding large numbers of hired labourers, journeymen, women and several distinct occupations. We therefore need to consider the regulation of labour in a wider forum than that of the guilds alone, and to investigate more critically the broader legal principles of civic regulation. What was the administrative context out of which craft guilds developed, and how did that context shape assumptions about the status of labour?

This study will argue that later medieval craft associations were not so much the *deliberate* consequence of the economic legislation that followed the Black Death in England as one accidental consequence of the new administrative systems developed to implement that legislation. Yet these new systems still bore the imprint of older legal attitudes. Furthermore, in enlarging the public role of craft officials, they also had a profound impact on the function and status of the craft household within civic government, enhancing its public status, its autonomy and its patriarchal character.

Before examining the role of the craft associations in relation to the household and the regulation of labour, we need to re-examine the older systems of regulation in borough courts which predated the fuller development of the guild system. To do this we have to ignore the guilds for a moment and examine a relatively neglected aspect of urban government: the public courts.⁶

In 1419 the procedure for holding ward courts in the city of London was described as follows.

The Alderman, after receipt of the warrant, is to command his beadle to summon all such men as are householders [*viros domos tenentes*], as well as all hired servants [*servientes mercenarios*], to his Ward, to appear before him

⁵ E. Veale, 'Craftsmen and the Economy of London in the Fourteenth Century', in *The Medieval Town: A Reader in Urban History 1200–1540*, ed. R. Holt and G. Rosser (Harlow, 1990), pp. 120–40 (pp. 121–6).

⁶ The history of the public borough courts of medieval English towns has been obscured in recent accounts of English urban government and the emphasis placed instead on the developing role of guilds and central councils in civic administration. For example, see S. Reynolds, *An Introduction to the History of English Medieval Towns* (Oxford, 1977); Swanson, *Medieval Artisans*, pp. 107–26; Hilton, *English and French Towns*; Miller and Hatcher, *Medieval England: Towns, Commerce and Crafts*, pp. 308–20.

at a certain time and place . . . These names, after the persons have been duly summoned, the beadle is to have entered in a certain roll, those of the freemen of the City [*liberorum civitatis*] who dwell in that Ward, by themselves, and those of the hired servants and non-freemen [*famulorum mercenarium et non liberorum*] by themselves.⁷

The constables of the ward then assembled a panel of jurors from among the 'reputable men' of the ward, who listened to a reading of the articles of the wardmote – essentially a list of offences covered by the court. The jurors were then sent out to enquire into which of these offences had been committed by whom and reassembled on a given day to present their verdicts. These presentments were then delivered to the mayor, and some cases were brought to trial in the court of the mayor and aldermen. The clear discrimination made in this procedure between those wardsmen who were householders and those who were hired servants suggests immediately that the issue of labour will be crucial in understanding the nature of the ward system. However the emphasis on householders as the privileged residents of the ward also suggests that the status of labour was determined by values derived from assumptions about the importance of residence, or house-holding, as well as from the form of employment. The two categories of wardsmen were, after all, householders and hired servants, not employer and employee, self-employed and waged, or master craftsman and servant. Clearly, the values surrounding and defining labour relations in the London ward system were not those conventionally used in more recent periods.

By 1419 the ward courts were among the most ancient of the governing institutions of the city of London. How ancient is a matter of some dispute, but without any doubt they were well established by the end of the thirteenth century. Their principal purpose could be broadly described as 'the keeping of the king's peace', and they were given considerable extra judicial responsibilities and public status by a series of new laws passed in the reigns of Edward I and Edward II.⁸ In a similar fashion the public courts of other boroughs also increased, and to some degree standardized, the scope of

⁷ *Munimenta Guildhallae Londoniensis: Liber Albus, Liber Custumarum*, ed. H. T. Riley, 3 vols. (London, 1859–62), I [*Liber Albus*], 36–9 (hereafter cited as *Liber Albus* [vol. I] and *Liber Custumarum* [vols. II–III] as relevant). Translation from *Liber Albus*, ed. H. T. Riley (London, 1861), p. 33.

⁸ M. Bateson, 'A London Municipal Collection of the Reign of King John', *English Historical Review* 17 (1902), 480–522, 707–30; *Calendar of Plea and Memoranda Rolls of the City of London, 1324–1482*, ed. A. H. Thomas and P. E. Jones, 6 vols. (Cambridge, 1926–61), 1413–1437, pp. xxx–xli; G. Williams, *Medieval London: From Commune to Capital* (London, 1963), p. 80; C. Brooke, 'The Central Middle Ages: 800–1270', in *The City of London from Prehistoric Times to c. 1520*, ed. M. D. Lobel, *British Atlas of Historic Towns* 3 (Oxford, 1989), pp. 30–41 (pp. 34–5); C. Barron, 'The Later Middle Ages: 1270–1520', in *City of London*, ed. Lobel, pp. 42–56 (p. 44).

their jurisdiction under the impetus of royal statutory reforms between the reigns of Henry II and Edward II.⁹ In the smallest towns a single borough court sufficed.¹⁰ In the larger boroughs and cities, including towns the size of Canterbury, Colchester, Exeter or Winchester, as well as London, Norwich and York, the town was divided into several wards, or administrative districts, which often focused on major roads or gates in the city walls, and were known by a variety of names – aldermanries, quarters, leets – in different towns.¹¹ In the largest and oldest cities – such as Norwich, York and London – the wards were further subdivided into secular parishes or sub-leets, which were the smallest units of secular administration in the city, although in some newer towns, such as Coventry, the wards were smaller than the parishes.¹² Such borough courts were often treated as the equivalent of the hundred or wapentake in the rural counties, with the exception that in chartered boroughs senior town officials such as the bailiffs or aldermen (for example in Colchester, Norwich and York), or the court of the mayor and aldermen (in London), took the place of the county sheriff in receiving and reviewing the presentments of the ward juries.¹³

Whatever the local terminology used, and whatever the precise topographical arrangement, the ward or 'leet' courts of English towns, their jurors and officials, were the bedrock of civic administration in England and were the lowest and most immediate public neighbourhood units through which a town could be governed. By the early fourteenth century the scope of the borough courts' business was very wide-ranging and it is likely that the wards played a profound role in shaping local political allegiances within the town.¹⁴ Constables and jurors in such courts presented offences against the king's peace,

⁹ F. J. C. Hearnshaw, *Leet Jurisdiction in England* (Southampton, 1908); W. A. Morris, *The Frankpledge System* (London, 1910); R. H. Britnell, *The Commercialisation of English Society, 1000–1500* (Cambridge, 1993), pp. 90–7; M. K. McIntosh, *Controlling Misbehavior in England, 1370–1600* (Cambridge, 1998), pp. 34–45.

¹⁰ McIntosh, *Controlling Misbehavior*, pp. 34–5, 217–19.

¹¹ *Leet Jurisdiction in the City of Norwich in the XIIIth and XIVth centuries*, ed. W. Hudson, Selden Society 5 (London, 1892); W. Urry, *Canterbury under the Angevin Kings* (London, 1967), pp. 103–4; *Victoria County History, The City of York*, ed. P. M. Tillot (Oxford, 1961), pp. 77, 314–15; D. Keene, *Survey of Medieval Winchester*, 2 vols., Winchester Studies 2 (Oxford, 1985), I, 83–5; R. H. Britnell, *Growth and Decline in Colchester, 1300–1525* (Cambridge, 1986), pp. 26–9, 118; M. Kowaleski, *Local Markets and Regional Trade in Medieval Exeter* (Cambridge, 1995), pp. 338–9.

¹² *Leet Jurisdiction in the City of Norwich*; E. Rutledge, 'Immigration and Population Growth in Early Fourteenth-Century Norwich: Evidence from the Tithing Roll', *Urban History Yearbook*, 1988, pp. 15–30; C. Phythian-Adams, *Desolation of a City: Coventry and the Urban Crisis of the Late Middle Ages* (Cambridge, 1979), pp. 158–9.

¹³ J. Tait, *The Medieval English Borough* (Manchester, 1936), pp. 45–6; T. Andrew, 'The Fifteenth-Century Wardmote Court Returns for York' (unpublished MA dissertation, University of York, 1997), pp. 9, 16–17. For Colchester, Norwich and London see references in notes 8 and 11 above.

¹⁴ Phythian-Adams, *Desolation of a City*, pp. 158–9; Keene, *Survey of Medieval Winchester*, I, 84–5.

including trespass, theft and nuisance offences such as prostitution, but excluding major felonies, such as murder, which were reserved for royal justices.¹⁵ Wards and parishes also formed the local units for taxation, for raising a militia and manning city walls, for maintaining roads, bridges and common lands, for providing juries for coroners' inquests, for the enforcement of the Assizes of Bread and Ale, and for the regulation of prices, weights, measures and other statutory trade offences such as forestalling. This diverse jurisdiction is amply illustrated by the earliest copy of the Assizes of the city of London, including articles to be enforced by the aldermen in their wards, which dates from 1276–8.¹⁶ Wards and parishes also elected local law-enforcement officials, such as constables and sergeants and sometimes lesser officials such as beadles, ale-connors or scavengers (street cleaners). Often, as in Winchester, London and York, the wards were headed by the aldermen who sat on the central governing councils of the town. Indeed, it was a common arrangement for the number of major wards to correspond to the number of bailiffs ruling the town (Colchester, Norwich, York), or to the number of aldermen in the mayor's court (London, York).¹⁷ Wards might also provide the initial forum in which candidates for membership of the franchise of the city were identified, in which transactions of property were recognized and in which matters pertaining to town government were discussed by its citizens.

Above all, it is important to stress that ward organization was much more important to the daily, grass-roots, administration of the larger English town at the beginning of the fourteenth century than were the embryonic specialist craft and trade associations found in some towns (and most notably in London) before 1350. Despite the emphasis placed on the latter in recent secondary literature, such associations were still essentially voluntary and elitist, and often owed their existence to the rival patronage of the church.¹⁸ They could not provide an alternative to the fundamental secular administrative processes of the borough courts, much as they might occasionally be called upon to supplement them.¹⁹ Indeed the subordinate, voluntary and

¹⁵ For the following account of the functions of urban wards and their courts, see references in notes 8–11 above.

¹⁶ *Calendar of Letter-Books of the City of London, 1275–1498, Books A–L*, ed. R. R. Sharpe, 11 vols. (London, 1899–1912), *Letter-Book A*, pp. 215–19; Williams, *Medieval London*, p. 76.

¹⁷ Colchester had two bailiffs and four wards, York had three bailiffs and six wards, but in each case it could be argued that the lesser wards were grouped into larger units corresponding to the number of bailiffs, as in Norwich.

¹⁸ E. M. Veale, *The English Fur Trade in the Later Middle Ages* (Oxford, 1966), p. 46; G. H. Martin, 'The Early History of the London Saddlers' Guild', *Bulletin of the John Rylands Library* 72/3 (1990), 145–54 (pp. 150–2); Miller and Hatcher, *Medieval England: Towns, Commerce and Crafts*, pp. 373–5.

¹⁹ For example, in London, which had much the most developed craft associations by 1300, crafts and trades were required to choose 'brokers' to oversee the trade of alien merchants. Veale, *English Fur Trade*, p. 47; Britnell, *Growth and Decline in Colchester*, p. 138.

non-civic nature of trade associations in this period is apparent in the degree to which the limited civic role which was publicly recognized for the crafts was integrated into the machinery of the ward system. In London in 1282 and 1297, it was required that lists of traders (masters, apprentices and other servants) should be kept in the wards for the better keeping of the peace in the city; and in c. 1285 'brokers' elected by some crafts to oversee certain aspects of trade in the city were also overseen by the mayor and aldermen, although later versions of this ordinance emphasized the crafts' right of election.²⁰ The earliest surviving lists of London freemen and enrolled apprentices were also kept by ward and, despite the growing power of the crafts to nominate new freemen, in both London and York administration of admission to the freedom continued to be at ward level well into the fifteenth century.²¹

Given the importance of the ward system, and its preeminence over other forms of organization, it is not surprising that the earliest recorded wage legislation in England is from a series of regulations drawn up for London, after the great city fire of July 1212.²² These rules were primarily concerned with regulating the quality of building in order to reduce the risk of fire in the city, and they were later incorporated into the articles of the wards.²³ Indeed, one of the wards' prime functions by the fourteenth century was to mount the watch against fire, and this became the focus of the highly ceremonial marches of the midsummer watch.²⁴ However, the assize of 1212 also regulated the daily wages of building craftsmen and their hired servants, and by the reign of Edward I this wage legislation had developed as a separate function of the city wards. In 1284 it was ordered that:

in each ward there should be two good and honest men assigned to discover what masons or carpenters take wages in the City contrary to the Statute of the city and to report their names to the Mayor and Sheriffs with the view to their being punished, viz; the payer of wages contrary to the statute by fine of 40s for each offence, and the receiver by imprisonment for 40 days.²⁵

²⁰ *Memorials of London and of London Life in the Thirteenth, Fourteenth and Fifteenth Centuries, 1276–1419*, ed. H. T. Riley (London, 1868), p. 21; *Letter-Book B*, p. 241; *Letter-Book C*, p. 16; *Liber Custumarum*, I, 272; *Liber Albus*, p. 269.

²¹ *Letter-Book D*, pp. 35–159; Barron, 'Later Middle Ages', p. 44. In York, ward sergeants delivered fines paid for entry to the franchise to the city chamberlains: J. Muggleston, 'The Late Medieval Chamberlains' Account Books of the City of York' (unpublished MA dissertation, University of York, 1992), p. 31.

²² *Liber Custumarum*, I, 86–8; Bateson, 'London Customal', pp. 710–11, 730.

²³ *The London Assize of Nuisance 1301–1431: A Calendar*, ed. H. M. Chew and W. Kellaway, London Record Society 10 (London, 1973), p. xi.

²⁴ S. Lindenbaum, 'Ceremony and Oligarchy: The London Midsummer Watch', in *City and Spectacle in Medieval Europe*, ed. B. A. Hanawalt and K. L. Reyerson (Minneapolis, MN, 1994), pp. 171–88.

²⁵ *Letter-Book A*, p. 184.

This ordinance was accompanied by the civic statutes themselves 'as to the wages of carpenters, masons, plasterers, daubers and tilers', which prescribed seasonal maximum wage rates for all these building workers, and their servants, as well as fixing the rates of pavers and carters.²⁶ The separation of the statutes stipulating wages from the ordinance enforcing them permitted wage-rates to be revised, and indeed some revision of the rate was evident as early as 1215.

In 1285 the ordinance concerning the enforcement of these statutes was formally incorporated into the articles of the city, and of the Wardmote courts, and thereafter several versions of it are preserved.²⁷ Although no records of ward presentments survive from this early period, two cases in the mayor's court confirm that ward juries acted upon the ordinance and presented builders who used violence to seek to intimidate workers into working for higher rates of pay.²⁸ Indeed in 1299 a 'parliament' of carpenters protesting against the ordinance was suppressed.²⁹ Following the royal Ordinance of Labourers of 1349, which required simply that wage-rates should be contained at their pre-plague levels, the civic ordinances were revised in 1350, extending the regulation from building workers to various other craftsmen and labourers and exceeding the requirements of the royal law by spelling out detailed maximum rates of pay and prices.³⁰ The beadle and two men from each ward were chosen to enforce this legislation.³¹ In the following months the large number of cases in the mayor's court, involving a range of crafts, demonstrated the impact of the new law.³² Over sixty years later, the basic original ordinance was still included in the articles of the Wardmote. The version copied in 1419 reads as follows.

Of Labourers. That no one hire or pay masons, carpenters, daubers, tilers or any other labourers whatsoever, otherwise than according to the Assize thereon by the Common Council of the city ordained, under pain of paying unto the Chamber double the amount of such excess.³³

²⁶ *Liber Custumarum*, I, 99–100.

²⁷ *Liber Albus*, pp. 280–97; Williams, *Medieval London*, p. 255.

²⁸ *Calendar of Early Mayor's Court Rolls of the City of London, 1298–1307*, ed. A. H. Thomas (Cambridge, 1924), p. 251; *Plea and Memoranda Rolls of the City of London, 1323–1364*, p. 108.

²⁹ *Early Mayor's Court Rolls*, p. 25.

³⁰ *Letter-Book F*, p. 212; *Memorials*, pp. 253–8. The London ordinances thus anticipated (and perhaps influenced) the form of the much more specific national Statute of Labourers of 1351: C. Liddy, 'Urban Communities and the Crown: Relations between Bristol, York and the Royal Government, 1350–1400' (unpublished D. Phil. thesis, University of York, 1999), p. 209.

³¹ *Letter-Book F*, pp. 212–13.

³² *Plea and Memoranda Rolls of the City of London, 1323–1364*, pp. 225–6, 228–32, 234–6, 252, 257.

³³ *Liber Albus*, p. 334.

The emphasis on building workers in these early London ordinances is partly explained by the fact that builders sold their labour (and that of their servants), whereas many other artisans could be regulated through the control of the prices of the finished product of their work. Civic regulation of wages was primarily framed out of a concern to keep down the costs of a finished product, and the people directly affected by such legislation were thus, often, 'employers': that is, craftsmen who employed labourers or servants to produce a finished product for sale. The legislation did not therefore impinge directly on the process of negotiation between craftsman and servant. However, a case brought by cordwainer servants against their masters in the mayor's court in 1303 shows that such matters could be dealt with by juries in the city courts, which thus provided a public forum for a set of precedents and assumptions about the nature of work and the 'reasonableness' of a wage to be developed.³⁴ Well before the Black Death, therefore, there was a tradition of regulating employment in London's courts which focused on prices and on the negotiation and payment of wages to servants and other waged labourers. The general principles – that wages should provide but not exceed a subsistence for workers, should represent a reasonable cost to the purchaser and should be arrived at by peaceful negotiation – were evident in the rhetoric of civic law.³⁵ But what other assumptions coloured the relationship between employer and employee?

In order to understand how a framework of labour relations might have been shaped, we need to ask some questions about the ward courts themselves and the nature of their organization. This is easier said than done, since records of such courts are not often preserved, and even less commonly are they preserved for long stretches of time. The following argument is based primarily on three sets of records: those of the leet courts in Norwich from the later thirteenth and early fourteenth centuries together with some fragments from Norwich sessions held in the 1390s and the early sixteenth century; the early fifteenth century wardmote presentments from the city of London; and some incomplete records from the wardmote courts of York in the 1480s and 1490s.³⁶ To base an argument concerning broad changes over time on the records of three different cities from three different periods is not ideal, but it may suggest an agenda for further research.

In many, though not all, English boroughs the ward system of government incorporated a still older system of government: the frankpledge.³⁷ Indeed it

³⁴ *Early Mayor's Court Rolls*, pp. 148–9.

³⁵ S. A. Epstein, 'The Theory and Practice of the Just Wage', *Journal of Medieval History* 17 (1991), 58–67.

³⁶ *Leet Jurisdiction in Norwich; Plea and Memoranda Rolls of the City of London, 1413–1437*, pp. 115–41, 150–9; York, York City Archives C B1a, fols. 136–9, and E31, pp. 1a–20a, now transcribed in Andrew, 'Fifteenth-Century Wardmote Court Returns'.

³⁷ Morris, *Frankpledge*, pp. 61–3.

is prominently stated in the London wardmote articles that 'no one [shall] take another into his house for more than one night, unless he hold him to right (i.e. produce him to stand trial) if he commits a crime, and his host shall answer for him if he departs.' It was further stated that 'No-one shall remain in the ward of an Alderman beyond a day and a night, unless he be *in frankpledge* or his host be willing to hold him to right.'³⁸ Frankpledge had its roots in Anglo-Saxon systems of government and warfare and was essentially a form of sworn legal association made up exclusively of adult men. The precise nature of frankpledge associations varied from one locality to another, but in general the frankpledge system covered 'all males over the age of twelve who were not under the personal pledge of a lord, or themselves of sufficient rank and property to serve as surety'.³⁹ In theory, men in frankpledge were organized into groups of ten, known as tithings. Entering the frankpledge, or entering the tithing, involved taking an oath of fealty and swearing in effect that one would be a *good man*: that is, that one would keep the peace, abide by the laws of the community and not commit theft.

As the London law suggests, all permanently resident men were expected to be in frankpledge, or, if not permanently resident, to be staying in a house with a host who would be willing to take responsibility for them, should the visitor commit an offence. Such a system is known to have operated in most larger English towns (especially south of the Trent) such as London, Coventry, Exeter, Norwich and Nottingham. The system was, however, never so fully developed in the northern counties, and some towns acquired exemption from the control of royal justices and so assimilated the tithings into the borough's own administration.⁴⁰ The relative absence of court records makes it difficult to assess the vitality of the system by 1300. It is probably the case that in several towns, such as Colchester, lists of men in tithing were no longer maintained for the view of frankpledge by the early fourteenth century.⁴¹ On the other hand it is apparent that some of the basic features of frankpledge organization had been extended, by royal edict, to all towns, regardless of their locality or traditional customs. The Assize of Clarendon of 1166 required that 'in civitatibus vel burgis nullus habeat homines vel recipiat in domo sua vel terra sua vel soca sua, quos non in manu capiat quod eos habebit coram Justitia si requisit fuerint, vel sint sub francoplegio'.⁴² Thus, whether tithing lists were maintained or not, the

³⁸ *Liber Albus*, p. 332 (my italics).

³⁹ H. M. Jewell, *English Local Administration in the Middle Ages* (Newton Abbot, 1972), p. 163.

⁴⁰ Morris, *Frankpledge System*, pp. 62–3.

⁴¹ Britnell, *Growth and Decline in Colchester*, p. 27.

⁴² *Select Charters and other Illustrations of English Constitutional History from the Earliest Times to the Reign of Edward the First*, ed. W. Stubbs, 9th edn, rev. H. W. C. Davis (Oxford, 1913), p. 171.

principle that all adult males should be accountable before the law, either as a sworn and recognized member of the community, or as a member of a household for whom the householder would take responsibility, was embedded in the legal system of towns such that by the later Middle Ages legal writers believed that the borough 'ward had an organisation which corresponded to frankpledge'.⁴³

Some of the best evidence for the working of the frankpledge system in a town survives in the leet court records from the city of Norwich. There the system was adapted to the needs of an urban society, and the rules which emerged are instructive *both* of how the good men were conceived under the law, and *also* of how actual practices and assumptions about the organization of households, workshops and trading associations were often at odds with the theory of the law.

In Norwich, as in London, most men were expected to be in frankpledge, with a few exceptions. In Norwich in 1300 these exceptions were unmarried clergy, strangers visiting the city, men who were already in tithing elsewhere in the county and were only temporary residents in Norwich, men who owned substantial property outside the city, and men who sold their labour by the day.⁴⁴ Thus the view of frankpledge in Norwich extended both over men of some wealth who freely owned considerable amounts of property in the town, and at the other extreme over non-householders: men who lived in rents, men who were servants living in their masters' households, and boys who were of age but still living with their parents. Only the most mobile residents of the city were exempt. This hierarchy is illuminating, for it suggests that a crucial social and legal discrimination was already at work between servants who lived in their master's household and could be responsible members of the frankpledge, and those who sold their labour by the day who could not. Here, then, we have the basis of a discrimination between householders and hired servants still apparent in the London ward procedures of 1419. But the primary reason for excluding the day labourers from the full benefits and responsibility of the frankpledge was not because they were greedy or lazy or unskilled or prone to rebellion (as post-plague rhetoric suggested); rather, because they were perceived to be mobile, their good character could not be pledged by a neighbour, nor could they be relied upon to take up arms when needed – just as other visitors to the city (even quite wealthy foreign merchants) were equally strange and untrustworthy. Most critical of all was their lack of any possessions upon which they could be amerced for any offence brought before the courts.⁴⁵

In contrast to the journeymen, household servants and adolescent sons could enter the frankpledge. They were judged to be the responsibility of the

⁴³ Morris, *Frankpledge System*, pp. 62, 130, 147–50.

⁴⁴ *Leet Jurisdiction in Norwich*, pp. lxx–lxxviii; Rutledge, 'Immigration and Population Growth', pp. 19–20.

⁴⁵ *Borough Customs I*, ed. M. Bateson, Selden Society 18 (London, 1904), p. 83.

household to which they belonged and for which the head of household was held accountable. The distinction was obviously a fine one: which may explain why so many early borough laws insist on a householder's legal responsibility for his apprentices, and why one early apprenticeship indenture in 1291 insists that the apprentice should be law-abiding and not foment quarrels among his master's neighbours (*vicinos*).⁴⁶ Tenants seem also to have been judged admissible on similar grounds, with their landlord being assumed to be responsible. Indeed, the fines levied for the evasion of tithing in Norwich hint at a variety of different kinds of household structures, working arrangements and business partnerships, which confound any expectation of simple co-resident families or master-and-servant relationships. There were brothers sharing households such as Walter de Hickling and his brother, harboured by Alice the nurse, who were each fined 12d. and then excused because they were poor.⁴⁷ Lodgers such as Geoffrey the baker and Hugh the girth-maker were fined 12d. each while lodging in the rents of Thomas Le Man, who was also fined 4s. for harbouring them but again later excused.⁴⁸ There were men described as masters and servants who apparently traded as equals, such as Hugh the Leekman who kept his servant out of tithing but also had a partnership in trade with him, falsely claiming the goods as his own.⁴⁹ And what are we to make of John Howard of Surlingham who kept his chattels at the house of Margaret Sumers, in the parish of St Peter de Suthgate, and traded in the city, but was neither in tithing nor of the freedom of Norwich; or of Richard de Swainsthorp, a smith, and his servant neither of whom were in tithing but both of whom lived in the house of Ranulph Godewyn?⁵⁰ The official language of the records and their limited technical vocabulary make it difficult for us to be sure of the exact nature of the relationships hinted at here, and we should beware of jumping to hasty conclusions.

Nevertheless, it does seem that the essential legal discrimination was a matter of property (real estate). The tithing neighbourhood defined dependency in terms of residence rather than kinship, with the responsible householders being those who held their land freely, those who did not live in 'rents'. Their dependents (those in their mainpast), who were also eligible for membership of the tithing, included tenants living in 'rents' as well as household servants and sons.⁵¹ Thus the real source of discrimination against the journeyman under the law was not just their mobility, but their exclusion

⁴⁶ *Borough Customs I*, p. 222; *The Records of the City of Norwich*, ed. W. Hudson and J. C. Tingay, 2 vols. (Norwich, 1906), I, 245–7.

⁴⁷ *Leet Jurisdiction in Norwich*, p. 23.

⁴⁸ *Leet Jurisdiction in Norwich*, p. 25.

⁴⁹ *Leet Jurisdiction in Norwich*, p. 44.

⁵⁰ *Leet Jurisdiction in Norwich*, pp. 4, 19.

⁵¹ The fact that this urban frankpledge, unlike its rural counterparts, included dependents in mainpast within the tithing probably demonstrates the impact of the Assize of Clarendon on urban communities.

from networks of dependency defined by property ownership. Here we see the practical consequences of a legal system where a special responsibility was still attached to the ownership of property, and where a sense of dependence thus extended beyond a simple familial co-resident group. This lingering sense of the lordship exercised by a property-owner found concrete expression in a number of English towns around 1300, where house-owners frequently sublet shops, rooms and houses adjacent to their main residence to relatives, business associates and employees. In this manner, networks of patronage based on both kinship and business formed in particular neighbourhoods.⁵² In a similar manner, access to the full benefits of the freedom of a borough community was also originally defined by the ownership of property in burgage tenure, and was only slowly being replaced by a system of access which permitted entry by fine or by apprenticeship.⁵³ The prejudice against mobility, and against mobility of labour in particular, was thus fully embedded in traditional legal priorities which sought to define status according to property tenure. It was not a new product of post-plague stress.

If some aspects of the urban frankpledge system in c. 1300, such as the essential distrust of mobility, are familiar to us from later labour regulations, other aspects nevertheless seem very unfamiliar. The frankpledge system affronts some assumptions about the normal boundaries between public and private life in the medieval town. A common view of the later medieval English household might be that it was a place where children were reared and together with adolescent servants prepared for entry into an adult world outside the home.⁵⁴ The household is often seen as a place of government in which the master craftsmen exercised considerable responsibility over his servants and apprentices. Typically, apprenticeship indentures of the fifteenth century required the master to supervise the moral as well as the technical education of his apprentice and to chastise him for minor thefts and misdemeanours in the household without taking him to the public courts where such offences as fighting, gaming, whoring and petty theft might normally be brought.⁵⁵ By contrast, in the Norwich frankpledge system of

⁵² Keene, *Survey of Medieval Winchester*, I, 218–27; S. Rees Jones, 'Property, Tenure and Rents: Some Aspects of the Topography and Economy of Medieval York', 2 vols. (unpublished D. Phil. thesis, University of York, 1987), I, 283–5; II, *passim*.

⁵³ Reynolds, *English Medieval Towns*, p. 124; R. B. Dobson, 'Admissions to the Freedom of the City of York in the Later Middle Ages', *Economic History Review*, 2nd ser. 26 (1973), 1–21 (p. 9); Rees Jones, 'Property, Tenure and Rents', I, 291–9; Kowaleski, *Local Markets and Regional Trade*, pp. 96–9.

⁵⁴ Hanawalt, "'The Childe of Bristowe'", pp. 155–72; Goldberg, 'Masters and Men', p. 57.

⁵⁵ *York Memorandum Book III*, ed. J. W. Percy, Surtees Society 186 (Durham, 1973), pp. 4–5; B. A. Hanawalt, *Growing Up in Medieval London: The Experience of Childhood in History* (Oxford, 1993), pp. 134–5. By contrast, an early apprenticeship indenture of 1291 from Norwich is not so specific about the moral supervision to be provided by the master: *Records of the City of Norwich*, I, 245–7.

c. 1300, we have a legal view which treats adolescent boys as adults before they left the household, while they were still living as servants with masters or mistresses, or as sons with parents. Thus the tithing neighbourhood came right into the household; it did not stop at its door. What happened to allow the legal system to evolve from one that required all teenagers to be accountable before the public courts, to one in which some teenager servants could be safely chastised privately 'at home'?

To start with, looking at the actual cases which were presented to the Norwich courts, it is apparent that normal practice by 1300 was already different from the theory of the law. For fines were commonly levied from individuals who had not entered frankpledge when they should have done, and fines were also levied from those people who had 'harboured' them.⁵⁶ Very often the fines were levied from servants and sons and sometimes from strangers; the men and women who harboured them were their masters, mistresses and parents (sometimes innkeepers) in whose household the culprits lived. Fines were often levied from both fathers and mothers for 'harbouring' their children. In 1288 Robert de Dunwich was fined for harbouring three sons out of tithing and John de Norway was fined 12d. for the harbouring of his two sons, while Catherine de Shelfhangar was fined 12d. because she had her two sons out of tithing in 1300.⁵⁷ Action might also be taken against jurors who failed to present such offences.⁵⁸ Just as common were fines levied from employers, such as Martin the bellfounder because he harboured a groom out of tithing in 1294, or Geoffrey the taverner and Robert the barber, both fined for having servants out of tithing in 1300.⁵⁹ One unusually detailed entry shows how a prosperous fishmonger named Ralph built up a large household of dependents by 1291, none of whom had entered tithing. The dependents included William and Hubert his sons, Richard his son-in-law, his cook and his taverner, who were each fined 12d., while Ralph was fined 6s. 8d. for harbouring them.⁶⁰ Here is a household unit containing a co-resident group of kin and servants, but also perhaps a larger unit which included employees or tenants (the taverner and possibly the cook), as well as a more extended family group. The large number of fines for being out of frankpledge does suggest therefore that, whatever the formal requirements of the law, it was common practice in Norwich by 1300 to flout it. The theoretical legal view (that all resident male adults over twelve should be individually accountable before the law) was already in conflict with a popular view that householders should take responsibility for their resident sons and servants privately.⁶¹

⁵⁶ Rutledge, 'Immigration and Population Growth', p. 19.

⁵⁷ *Leet Jurisdiction in Norwich*, pp. 19, 30, 53.

⁵⁸ *Leet Jurisdiction in Norwich*, p. 22.

⁵⁹ *Leet Jurisdiction in Norwich*, pp. 42, 52.

⁶⁰ *Leet Jurisdiction in Norwich*, p. 38.

⁶¹ In the surviving Norwich records before 1313, only five disputes between familial members were brought before the courts. *Leet Jurisdiction in Norwich*, pp. 3, 8, 9, 23.

Just as the household was not accepted as an *official* unit of governance under the frankpledge system, so too the notion that fraternities of craftsmen might exercise joint responsibility for their members, in matters of employment or trade, was also frowned upon by most urban governments around 1300.⁶² In Norwich, craft guilds were proscribed by charter granted to the city by Henry III; and the struggle for even a limited role in government won by the crafts of London in the reign of Edward II has been described by Gwyn Williams.⁶³ The general fears were that secret covens or guilds would work together to defraud the city, either by removing legal cases from the view of the city's courts, so depriving the city of revenue, or by secretly plotting to hoard goods and inflate market prices. Guilds were regarded, as it were, as 'secular heresies', just as the religious activities of other fraternities could attract suspicion of 'spiritual heresy'. Partisan guilds, favouring particular interests, threatened the unity of the civic body. Thus, in the Norwich leet court records there are many cases such the following from 1299–1300: '[Amercement] of all the chandlers for making an agreement amongst themselves – to wit, that none of them should sell a pound of candle at less than another. [8 persons amerced].'⁶⁴ Elsewhere, in Coventry, Exeter, London and York, there are also examples of guilds being suppressed, or otherwise undermined, in the early fourteenth century for fear that they would prejudice the authority of the civic body.⁶⁵

During the course of the later 'long' fourteenth century, primarily in the period between 1350 and 1450, there was an about-turn in the official treatment of craft associations. The position of fraternities was regularized and the craft associations, in particular, were brought more fully and officially into the government of English towns. In this respect, the experience of English towns only mirrored that of many cities on the Continent, although, of course, the exact chronology of change and the precise details of the different constitutions adopted varied from city to city.⁶⁶ The causes of this shift have been attributed either to changes within urban economies or to the growing domination of town governments by merchants.⁶⁷ Yet the change

⁶² Miller and Hatcher, *Medieval England: Towns, Commerce and Crafts*, pp. 364–70.

⁶³ *Records of the City of Norwich*, I, 16–18; Williams, *Medieval London*, pp. 157–95.

⁶⁴ *Leet Jurisdiction in Norwich*, p. 52. Compare also cases against the cobblers, saddlers, fullers and tanners: *Leet Jurisdiction in Norwich*, pp. 39, 43–4.

⁶⁵ G. O. Sayles, 'The Dissolution of a Guild at York in 1306', *English Historical Review* 55 (1940), 83–98; Veale, *English Fur Trade*, pp. 46–9; Martin, 'Early History of the London Saddlers' Guild', p. 153; Kowaleski, *Local Markets and Regional Trade*, pp. 99–100.

⁶⁶ D. Nicholas, *The Metamorphosis of a Medieval City: Ghent in the Age of the Artevelde 1302–1390* (Nebraska, 1987), pp. 1–9; D. Nicholas, *Town and Countryside: Social, Economic and Political Tension in Fourteenth-Century Flanders* (Bruges, 1971), pp. 140–1; C. Meek, *Lucca 1369–1400: Politics and Society in an Early Renaissance City State* (Oxford, 1978), pp. 185–93; T. Scott, *Freiburg and the Breisgau: Town-Country Relations in the Age of Reformation and the Peasants' War* (Oxford, 1986), pp. 47–60.

⁶⁷ Nicholas, *Metamorphosis of a Medieval City*; Scott, *Freiburg and the Breisgau*, pp. 60–73;

was also the consequence of developments in legal perception about the nature of society. In England, the introduction of new judicial procedures through the introduction of the commissions of the peace and the extension of their responsibilities over economic legislation, both before and after the Black Death, had a profound impact on local government, including towns.⁶⁸ The increasing power of justices of the peace to enforce new national statutes regulating wages, measures and prices, as well as hearing cases of trespass, felony and forestalling, especially after 1360, threatened to remove much of the business of the older borough courts and so undermine their jurisdictional independence. Indeed, one reason for the introduction of commissions of the peace was judicial suspicion about the failings of the old frankpledge system, particularly the concern that jurors concealed cases rather than present their neighbours to the courts (a concern fully borne out by the Norwich evidence).⁶⁹ Not surprisingly, some town authorities, such as the bailiffs of Colchester, at first refused to co-operate with the new commissions.⁷⁰ But soon borough governments petitioned instead to have justices appointed from among their own officials, and to be permitted to keep the profits of the peace jurisdiction and to exclude all county officials.⁷¹ At first, boroughs often had their representatives included in county commissions, and many special urban commissions were appointed only on an ad hoc basis; but between 1373 and 1409, Bristol, York, Newcastle, Norwich and Lincoln became the first towns to acquire the administration of the peace commission permanently by royal charter.⁷²

At the heart of this new system of local government was an administrative error of major proportions. It was this error which allowed the craft guild system to flourish, to gain official status and to change the regulation of labour in English towns. Among the new parliamentary statutes was the statute of 1363 which, *inter alia*, stated that craftsmen were each to adhere to a single trade and to be policed by members of their crafts (searchers) who

Britnell, *Growth and Decline in Colchester*, p. 115; Swanson, *Medieval Artisans*, pp. 107–26; Goldberg, *Women, Work, and Life Cycle*, pp. 33–5; Kowaleski, *Local Markets and Regional Trade*, p. 100; Rigby, *English Society*, pp. 145–80.

⁶⁸ S. Rees Jones, 'York's Civic Administration, 1354–1464', in *The Government of Medieval York*, ed. Rees Jones, pp. 108–40 (pp. 115–27); A. Musson and W. M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth Century* (Basingstoke, 1999), pp. 50–3, 89–100.

⁶⁹ J. R. Lander, *English Justices of the Peace 1461–1509* (Gloucester, 1989), pp. 6–10.

⁷⁰ Britnell, *Growth and Decline in Colchester*, p. 136.

⁷¹ *Rolls of the Warwickshire and Coventry Sessions of the Peace 1377–1397*, ed. E. G. Kimball, Dugdale Society Publications 16 (Warwick, 1939); S. Rigby, 'Urban "Oligarchy" in Late Medieval England', in *Towns and Townspeople in the Fifteenth Century*, ed. J. A. F. Thomson (Gloucester, 1988), pp. 62–86 (p. 79); Rees Jones, 'York's Civic Administration', pp. 116–18.

⁷² *Warwickshire and Coventry Sessions of the Peace*, ed. Kimball, pp. lxxxiv–viii; E. G. Kimball, 'Commissions of the Peace for Urban Jurisdictions in England, 1327–1485', *Proceedings of the American Philosophical Society* 121 (1977), 448–74.

were to be accountable directly to the justices of the peace.⁷³ The intention of the law was utterly conventional. It was intended to prevent craftsmen forming monopolies in guilds and conspiring secretly to raise prices illegally. In practice, however, such an arrangement proved unworkable. The official appointment of searchers from the crafts, rather than the wards, fuelled the desire of craft associations to demand more formal recognition in civic government, and from the 1370s most provincial civic constitutions were gradually altered to accommodate an outer representative common council of craft representatives.⁷⁴ The alteration of the labour laws to allow the local fixing of wage rates in 1388, coupled with the survey into craft ordinances in 1389, further enhanced the formal public status of crafts and delegated yet more authority to them as, particularly from that date onwards, they increasingly brought their ordinances for public registration before the aldermen of their cities.⁷⁵ By 1400 the craft searchers of London, Norwich and York were formally acting as the representatives of their crafts, pressing their aldermen to modify city laws and constitutions to their advantage.⁷⁶ Craft searchers also policed trading laws among their crafts and reported directly to the central courts of the mayor, aldermen and sheriffs of the city. Examples include the fullers of London who were appointed to oversee the wages paid in their craft in 1353, the brewers of London who acquired the right to search ale throughout the city in 1406, the cordwainers and tanners in York who fought over the right to search fine quality leather in the fifteenth century, and the searchers of all the crafts in Norwich who were confirmed in general rights of search in their trades in 1415, on a par with the crafts of the city of London.⁷⁷ Whereas in c.1300 the fines for infringing trading laws had gone entirely to the city, by the fifteenth century they were commonly divided between the city and the craft.⁷⁸ Far from the crafts being oppressed

⁷³ *Rotuli Parliamentum*, 6 vols. (London, 1769–83), II, 276–7; *Statutes of the Realm*, 11 vols. (London 1810–28), I, 379. This procedure again followed that used in London, before the plague, of appointing brokers from crafts to oversee some aspects of trade in the city.

⁷⁴ *Records of the City of Norwich*, I, i–cix; M. Weinbaum, *The Incorporation of Boroughs* (Manchester, 1936); Reynolds, *English Medieval Towns*, p. 114; Britnell, *Growth and Decline in Colchester*, p. 118; B. McRee, 'Peacemaking and its Limits in Late Medieval Norwich', *English Historical Review*, 109 (1994), 831–66 (pp. 835–53); Rees Jones, 'York's Civic Administration', pp. 122–3.

⁷⁵ *Letter-Books G-K*, *passim*; Goldberg, *Women, Work, and Life Cycle*, pp. 33–5.

⁷⁶ *Records of the City of Norwich*, I, 105; P. Nightingale, 'Capitalists, Crafts and Constitutional Change in Late Fourteenth-Century London', *Past and Present* 124 (1989), 3–35; Rees Jones, 'York's Civic Administration', p. 121.

⁷⁷ *Letter-Book G*, p. 14; J. Bennett, 'Women and Men in the Brewers' Guild of London, ca. 1420', in *The Salt of Common Life: Individuality and Choice in the Medieval Town, Countryside and Church*, ed. E. B. DeWindt (Kalamazoo, MI, 1995), p. 188; Swanson, *Medieval Artisans*, pp. 55–6; *Records of the City of Norwich*, I, 105; II, 281.

⁷⁸ Veale, *English Fur Trade*, pp. 116–26; Swanson, *Medieval Artisans*, p. 119; Rees Jones, 'York's Civic Administration', pp. 123–4.

by their new civic status, in many respects their officials benefited from their new city-wide powers, and from the new revenue which they gained. By the fifteenth century, craft and labour cases were rarely if ever dealt with through the ward courts. Indeed, in the detailed surviving presentments of the ward courts in London of the 1420s there is not a single case of excessive payment of wages, despite the clear inclusion of the ordinance on wages in the most recent copy of the ward articles of 1419.⁷⁹ Ward courts also ceased to hear most assault and burglary cases. Instead, this jurisdiction passed to the new city sheriffs' courts where cases could be presented by individuals or craft searchers using the speedier judicial processes of the commission of the peace.⁸⁰ In Norwich, the old frankpledge system of tithing had fallen into abeyance by the 1390s, as it generally had throughout the country.⁸¹

The new system of government by craft searchers supervised by aldermanic justices of the peace thus effectively conceded that many aspects of the frankpledge system were unworkable and that much of the regulation of domestic and working life had to be privatized, and was best contracted out to self-regulating associations of craftsmen. Yet despite its informal and possibly household origins, the new, officially sanctioned system of guild regulation reflected the realities of the household and the organization of work no more perfectly than the old frankpledge system had done.⁸² Indeed, the new public guilds of the fifteenth century inherited some of the constraints of the old view of frankpledge. As a judicial and military system, the frankpledge and the wards were dominated by men. So too was the new guild system. Women might well head households, but they could rarely hold official judicial positions within the new crafts, just as they never could in the ward courts. Another inheritance from the old system was the dislike of the mobile, including the wage labourer. There was no *practical* reason why mobile labourers could not be accommodated in a craft fraternity: guild ordinances regulating the hiring terms of servants suggested that possibility, as did the several attempts of journeymen to form their own guilds.⁸³ Nevertheless,

⁷⁹ *Calendar of Plea and Memoranda Rolls, 1413–1437*, pp. 115–41, 150–9.

⁸⁰ York and Norwich acquired sheriffs' courts with the achievement of county status in 1396 and 1404 respectively. Their constitutions may have been deliberately modelled more closely on that of London, which had long been treated as a county. In London, the growing power and efficiency of the mayor's court was already usurping the predominance of the sheriffs' court by the early fourteenth century. *Early Mayors Court Rolls*, pp. vii–xlv; *Leet Jurisdiction in Norwich*, p. lxxv, P. M. Stell, *Sheriffs Court Books of the City of York, 1471–1500*, York City Archives (York, 1999). Out of approximately 2,000 cases heard by the York sheriffs between 1471 and 1500, only forty-seven concerned the Statute of Labourers; the remainder were primarily cases of debt and trespass.

⁸¹ Morris, *Frankpledge System*, pp. 151–66.

⁸² Rosser, 'Crafts, Guilds and Work', p. 7.

⁸³ G. Unwin, *The Guilds and Companies of London* (London, 1908), pp. 224–5; Swanson, *Medieval Artisans*, pp. 114–15; Miller and Hatcher, *Medieval England: Towns, Commerce and Crafts*, p. 371.

mobile and non-household labourers continued to be discriminated against, and were prevented from forming official guilds by themselves. Even some craft groups, which were popularly characterized by a high degree of waged labour by the day, found it hard to win official guild status. Thus, as late as 1461, the Tilers of London were temporarily refused incorporation as a mystery on the grounds that they were 'reputed as labourers'.⁸⁴ Similarly, within approved crafts, divisions appeared between the master craftsmen and the journeymen members of the craft who were formally reduced to a subordinate role. So, in 1444:

came many stranger valets or servants of Wevers called journeymen before the Mayor and Aldermen of London and complained that whereas hitherto they had been accustomed to elect Wardens of the Mistery . . . the Masters of the Mystery, who were householders, had for the last six years claimed that such election belonged to them and not to the serving men. Both parties having been heard, it was ordained that henceforth the Masters of the Mistery should elect the Wardens, by licence of the mayor, and that the serving men should have no voice in such election.⁸⁵

Thus, many aspects of the old frankpledge system (especially the legal distinctions between resident and mobile, householder and day labourer) were not only translated into the new official guild ethos, but in some respects even enhanced.

As this happened, the ward courts changed in their function. By the fifteenth century, ward courts were mainly restricted to hearing pleas of nuisance (whether moral or material), and most of these nuisance accusations were being levied against people and households who were outside the guilds (foreigners, hawkers, common women, unchaste priests and the like). Whereas in 1300 large numbers of householders had been fined for various offences in the Norwich leet courts (such as the many fines for those who breached the rules of tithing), by 1500 very few were presented there. By the late fifteenth century the more elite crafts had private courts or arbitrators of their own, and commonly swore their members to resolve disputes peaceably within the fraternity.⁸⁶ It is also during the fifteenth century that we have the best evidence that masters regulated the moral behaviour of their familial servants at home, presumably to keep them out

⁸⁴ *Letter-Book L*, p. 12.

⁸⁵ *Letter-Book K*, p. 290.

⁸⁶ One of the earliest reference to a guild court is that of the London Grocers in 1376. The York Mercers' court is first recorded in 1443. Religious fraternities fulfilled a similar function: P. Nightingale, *A Medieval Mercantile Community: The Grocers' Company and the Politics and Trade of London 1000–1485* (London, 1995), p. 249; *The York Mercers and Merchant Adventurers, 1356–1917*, ed. M. Sellers, Surtees Society 129 (Durham, 1917), p. 55; B. McRee, 'Religious Guilds and Regulations of Behavior in Late Medieval Towns', in *People, Politics and Community in the Later Middle Ages*, ed. J. Rosenthal and C. Richmond (Gloucester, 1987), pp. 108–22.

of the public courts.⁸⁷ The public ward courts thus became socially much more discriminating than they had once been. This suggestion has recently been elaborated by Tim Andrew, using the records of the ward courts in later fifteenth century York. He found that the offences of the notable, more easily identified, defendants were largely to do with the maintenance of property, such as broken fences and blocked gutters, and attracted relatively minor financial penalties.⁸⁸ But property offences were gradually being outnumbered by offences of misconduct. In London, in particular, it was offences of adultery, prostitution and the like over which the aldermen were instructed to exercise the greatest vigilance in their wards by the 1440s; and such cases were equally prominent in the York courts of the 1480s.⁸⁹ These increasing numbers of offences of immoral behaviour were largely brought against those outside the guilds and fraternities – those whom it is hardest for historians to identify.⁹⁰

So, what was the significance of these administrative changes for the changing status of work and workers? Most fundamentally it gave the household, or at least a particular kind of household (that of the master craftsman), an authority under the law which it had not previously officially enjoyed. It turned an illegitimate authority into a legitimate authority, bringing it more firmly into the civic community. As a consequence, more emphasis was placed on the patriarchal nature of the household and the patriarchal nature of work. As certain heads of household acquired more public judicial and even military status through the enhanced civic status and function of their guild, so inevitably the position of male heads of households was officially enhanced. Equally, the entrenched preference for men of property in the judicial system no doubt prejudiced the fortunes of those aspiring to master status within their craft. New forms of tenure, and in particular the development of secure leaseholds, blurred the distinction between freeholding and tenancies-at-will for more prosperous householders.⁹¹ However, it does seem likely that the secure possession, or tenancy, of a reasonable-sized house remained an informal qualification for full membership of a craft.⁹² This combination of the legacy of the ward system and the rise to power of the new craft guilds suggests that becoming a good man, a respected member of the community and a householder of responsibility, became dependent on an increasingly complex set of criteria.

⁸⁷ See notes 54 and 55 above.

⁸⁸ Andrew, 'Fifteenth-Century Wardmote Court Returns', pp. 34–41.

⁸⁹ *Calendar of Plea and Memoranda Rolls, 1437–1457*, pp. 32, 56, 72, 88; Andrew, 'Fifteenth-century wardmote court returns', pp. 37–8.

⁹⁰ For a similar shift in the business of rural and small town courts see McIntosh, *Controlling Misbehavior*, p. 177.

⁹¹ Keene, *Survey of Medieval Winchester*, I, 161, 191–3; Rees Jones, 'Property, Tenure and Rents', pp. 288–91.

⁹² Pythian-Adams, *Desolation of a City*, pp. 80–90.

It was no longer dependent just on age, long residence, secure tenancy and honest conduct, but also on qualities of masterliness, including skill, occupation, the wherewithal to live independently of one's own trade and the wherewithal to employ and train others. Those smaller householders, who could not fulfil these new criteria, thus, in the longer term, faced a reduction in status.⁹³

The consequences for journeymen probably also extended beyond the direct consequences of their exclusion from power in craft associations to the development of a more subtle set of prejudices. Despite the legal presumption of the mobility of journeymen, it is apparent that many were relatively prosperous, and relatively settled, and were not easily distinguished from familial servants or lesser master craftsmen. In such conditions, journeymen could easily have achieved the same public status as the craftsmen by establishing regular dwellings and regular, household-based, associations. They thus posed a threat to the authority and trade of the master guildsmen. In these circumstances, a number of crafts, such as the London brewers in 1427/8, chose to pass ordinances regulating the living arrangements of journeymen in their trade, and specifying the terms on which they might marry and establish independent households from their masters.⁹⁴ In 1415, an association of journeymen tailors in London was formally suppressed by the mayor and aldermen on the grounds that

the said journeymen and serving-men – like a race at once youthful and unstable – so dwelling by themselves without any rule or supervision by their superiors in the trade, or by any other persons, did annually adopt [a livery] when they hold their assemblies and covens together . . . at such dwelling houses, so inhabited by them at all times, without any stable government, and [this] did expressly imply . . . a breach of the peace of our Lord the King.

The journeymen were then ordered not only to submit to the masters and wardens of the tailors' mystery but also to 'quit and vacate their dwelling-houses' and not to presume to live together again.⁹⁵ Thus, the presumption of mobility, embedded in the law and transferred into the administration of the craft guilds, could also manifest itself as an enforcement of mobility, in a deliberate attempt to discourage journeymen from forming households and so regulating their own labour or organizing their own businesses. The

⁹³ Unwin, *Guilds and Companies*, pp. 226–31; Phythian-Adams, *Desolation of a City*, pp. 98–108. For the development of the yeomanry, incorporating both lesser householders and wealthier journeymen, in Tudor guilds in London see S. Rappaport, *Worlds within Worlds: Structures of Life in Sixteenth-Century London*, (Cambridge, 1989), pp. 219–50.

⁹⁴ Unwin, *Guilds and Companies*, pp. 225–6; Bennett, 'Women and Men in the Brewers' Guild', p. 192.

⁹⁵ *Memorials*, pp. 611–12.

binary division of society into 'settled' and 'mobile' may well have been a fiction of the law which was always 'transgressed', but it was a powerful fiction which could be used coercively to shape social behaviour.

This study has argued that, through the implementation of parliamentary statutes after the Black Death, craft associations finally achieved a fully official status and began the ascent to a more powerful role in civic government in England's provincial cities as well as in London. The process of transformation was gradual. First came London, where changes were evident well before 1349. In many provincial towns, by contrast, the establishment of craft guilds was only fully realized during the course of the fifteenth century.⁹⁶ As craft associations achieved public authority, however, their character changed and they assimilated many of the patriarchal and property-oriented values of older systems of government. What were the consequences for labour?

Despite the very public employment legislation of the later Middle Ages, the increased prominence of the craft system of administration effectively conceded that the regulation of labour was essentially a private matter for employers. This left those who were largely outside regular employment, outside regular housing and outside the benefits of fraternity, as the central item on the agenda of public social concern. Here, then, we have one cause of the apparent increase in concern about poverty in the public courts of the early modern period. Here, too, may lie the origins of a discrimination between the private indiscretions of the householder, and the public nuisance of the immorality of the poor. The new system also entrenched and deepened an old division between resident and mobile labour forces and translated it into a distinction between familial and waged employees. The result was a social stigma attached to contracted waged labour which became embedded in the culture of work and social regulation for many centuries. How much better it is, even today, to be tenured and to receive a monthly salary than to be contracted and paid by the day (or by the piece). In the first case you are entitled to those valuable familial benefits such as maternity leave or an occupational pension. In the second you are entitled to nothing. Why not?

⁹⁶ M. Bonney, *Lordship and the Urban Community: Durham and its Overlords, 1250–1540*, (Cambridge, 1990), pp. 183–7; Britnell, *Commercialisation*, pp. 175–8; Kowaleski, *Local Markets and Regional Trade*, pp. 99–101.

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